

SB247 INTRODUCED



1 SB247

2 1PYF3LZ-1

3 By Senators Livingston, Waggoner, Jones, Weaver, Stutts,
4 Roberts, Shelnutt, Hovey, Singleton, Chesteen, Reed, Elliott,
5 Sessions, Butler, Barfoot, Williams, Givhan, Price, Allen,
6 Smitherman, Kitchens, Coleman-Madison, Kelley, Coleman,
7 Figures, Melson, Hatcher

8 RFD: Fiscal Responsibility and Economic Development

9 First Read: 21-Mar-24

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SYNOPSIS:

This bill would amend Section 25-2-2, Section 25-2-3, and Section 25-2-6, Code of Alabama 1975, to rename the Alabama Department of Labor to the Alabama Department of Workforce, to change the title of the head of the department from Secretary of Labor to Secretary of Workforce, to further provide for the duties and responsibilities of the secretary, and to transfer certain state and federal workforce programs, staff, and assets from the Department of Commerce to the department.

This bill would also add Chapter 15 of Title 25, Code of Alabama 1975, and amend Section 41-29-282, Code of Alabama 1975, to establish the Alabama Workforce Board as the State Workforce Development Board, to establish seven regional workforce boards, add responsibilities of the new Department, and further provide for the responsibilities of the Department of Commerce and the Alabama Industrial Development and Training Institute.

This bill would also repeal Sections 41-29-290, Section 41-29-291, Section 41-29-292, Section 41-29-293, Section 41-29-294, Section 41-29-295, Section 41-29-296, and Section 41-29-297, Code of Alabama 1975, relating to the Alabama Workforce

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29 Council, and specifically repeal Section 41-29-300,
30 Code of Alabama 1975, relating to the Regional
31 Workforce Development Councils.

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34 A BILL

35 TO BE ENTITLED

36 AN ACT

37 To amend Section 25-2-2, Section 25-2-3, and Section
38 25-2-6, Code of Alabama 1975, renaming the Alabama Department
39 of Labor to the Alabama Department of Workforce, and changing
40 the title of the head of the department from Secretary of
41 Labor to Secretary of Workforce.

42 To add Chapter 15 of Title 25, Code of Alabama 1975,
43 and amend Section 41-29-282, Code of Alabama 1975,
44 establishing the Alabama Workforce Board as the State
45 Workforce Development Board, adding responsibilities of the
46 new Department and further providing for the responsibilities
47 of the Department of Commerce and the Alabama Industrial
48 Development and Training Institute.

49 To repeal Section 41-29-290, Section 41-29-291,
50 Section 41-29-292, Section 41-29-293, Section 41-29-294,
51 Section 41-29-295, Section 41-29-296, and Section 41-29-29,
52 Code of Alabama 1975, relating to the Alabama Workforce
53 Council, and to specifically repeal Section 41-29-300, Code of
54 Alabama 1975, relating to the Regional Workforce Development
55 Councils.

56 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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57 Section 1. This act shall be known and may be cited as
58 the Alabama Workforce Transformation Act.

59 Section 2. The Alabama Department of Labor is hereby
60 renamed the Alabama Department of Workforce, and the head of
61 the department shall be known and designated as the Secretary
62 of Workforce. Any reference in Alabama law or in any contract,
63 deed, financial instrument or other legal document to the
64 Alabama Department of Labor or Secretary of Labor shall be
65 interpreted to mean the Alabama Department of Workforce or the
66 Secretary of Workforce as necessary to accomplish the purposes
67 of this act. The Code Commissioner shall conform references in
68 the Code of Alabama 1975, to existing departments, offices,
69 officers, and other state entities or positions to reflect the
70 changes required by this act. Code changes shall be made at a
71 time determined to be appropriate by the Code Commissioner.

72 Section 3. Section 25-2-2, Code of Alabama 1975, is
73 amended to read as follows:

74 "§25-2-2

75 (a) The general functions and duties of the Department
76 of ~~Labor~~Workforce shall be as follows:

77 (1) To administer all labor laws and all laws relating
78 to the relationship between employer and employee, including
79 laws relating to hours of work, and working conditions in
80 places of employment.

81 (2) To make or cause to be made all necessary
82 inspections to determine whether or not the laws, the
83 administration of which is delegated to the Department of
84 ~~Labor~~Workforce, and rules and regulations issued pursuant

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85 thereto, are being complied with by employers and employees,
86 and to take such action as may be necessary to enforce
87 compliance; provided, however, that there shall be no
88 inspection of boilers which have been inspected, approved, and
89 insured by an insurance company authorized to do business in
90 the State of Alabama. Provided, however, that this provision
91 may not prevent compliance verification by the department.

92 (3) To propose to the board of appeals, provided for in
93 this chapter, such rules and regulations, or amendments as may
94 be deemed advisable for the prevention of accidents or the
95 prevention of sickness and diseases in mines. The Secretary of
96 ~~Labor~~Workforce may appoint committees composed of employers,
97 employees, and experts to suggest and assist in the
98 preparation of rules and regulations or amendments.

99 (4) To administer and perform, by and under the
100 direction of the Secretary of ~~Labor~~Workforce, all functions
101 and duties of Chapter 4 of this title, and it shall have power
102 and authority to adopt and enforce all reasonable rules and
103 orders necessary or suitable to that end, and to require any
104 reports, and to take any other action, consistent with Chapter
105 4 of this title, necessary or suitable to that end.

106 (5) To cooperate with all authorities of the United
107 States having powers and duties under the Wagner-Peyser Act,
108 approved June 6, 1933 (48 Stat. 113, United States Code, Title
109 29, Section 49) entitled "An Act to provide for the
110 establishment of a national employment system and for
111 cooperation with the states in the promotion of such system
112 and for other purposes," and to do and perform all things

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113 necessary to secure for the State of Alabama the benefits of
114 such act and the promotion and maintenance of a system of
115 public employment offices. The Department of ~~Labor~~Workforce is
116 hereby designated as the state agency and vested with all
117 powers necessary to cooperate with the United States
118 Employment Service or its successor.

119 (6) To administer and perform, by and under the
120 direction of the Secretary of ~~Labor~~Workforce, all functions
121 and duties of Chapter 5 of this title, and it shall have power
122 and authority to adopt and enforce all reasonable rules and
123 orders necessary or suitable to that end, and to require any
124 reports, and to take any other action, consistent with Chapter
125 5 of this title, necessary or suitable to that end.

126 (7) To make investigations and studies and to collect,
127 collate, and compile statistical information and to make and
128 publish reports concerning the state's labor force
129 participation rate, unemployment rate, barriers to employment,
130 conditions of labor generally, including living conditions,
131 hours of work, wages paid, and all matters relating to the
132 enforcement and effect of the provisions of this title coming
133 under the jurisdiction of the Department of ~~Labor~~Workforce and
134 the rules and regulations issued pursuant thereto and other
135 laws relating to the Department of ~~Labor~~Workforce. The
136 Secretary of ~~Labor~~Workforce shall deliver a copy of each such
137 report to every person making application therefor.

138 (8) To make an annual report to the Governor covering
139 the activities and accomplishments of the Department of
140 ~~Labor~~Workforce during the preceding fiscal year, accompanied

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141 by the recommendations of the Secretary of ~~Labor~~Workforce. The
142 report shall be printed and the Secretary of ~~Labor~~Workforce
143 shall deliver a copy to every person making application
144 therefor.

145 (9) To make recommendations to the Legislature for the
146 enactment of laws which, on the basis of information and
147 statistics compiled by the Department of ~~Labor~~Workforce,
148 appear to be desirable for the development and training of the
149 state's labor force, protection of laborers, and for promoting
150 and fostering amicable relations between employers and
151 employees.

152 (10) To administer and perform, by and under the
153 direction of the Secretary of ~~Labor~~Workforce, all functions
154 and duties of Section 25-2-7, and it shall have power and
155 authority to adopt and enforce all reasonable rules and orders
156 necessary or suitable to that end, and to require any reports,
157 and to take any other action, consistent with Section 25-2-7,
158 necessary or suitable to that end.

159 (11) To administer and perform, by and under the
160 direction of the Secretary of ~~Labor~~Workforce, all functions
161 and duties of Chapter 7 of this title and such other statutes
162 as may be provided by law and to advise the Governor with
163 respect to the provisions thereof, and it shall have power and
164 authority to adopt and enforce all reasonable rules and orders
165 necessary or suitable to that end, and to require any reports,
166 and to take any other action, consistent with Chapter 7 of
167 this title, necessary or suitable to that end.

168 (12) To administer and perform, by and under the

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169 direction of the Secretary of ~~Labor~~Workforce, all functions
170 and duties of Chapter 8 of this title, and it shall have the
171 power and authority to adopt and enforce all reasonable rules
172 and orders necessary or suitable to that end, and to require
173 any reports, and to take any other action, consistent with
174 Chapter 8 of this title, necessary or suitable to that end.

175 (13) To administer and perform, by and under the
176 direction of the Secretary of ~~Labor~~Workforce, all functions
177 and duties of Chapter 9 of this title, and it shall have power
178 and authority to adopt and enforce all reasonable rules and
179 orders necessary or suitable to that end, and to require any
180 reports, and to take any other action, consistent with Chapter
181 9 of this title, necessary or suitable to that end.

182 (14) To administer and perform, by and under the
183 direction of the Secretary of ~~Labor~~Workforce, all functions
184 and duties of Chapter 10 of this title, and it shall have
185 power and authority to adopt and enforce all reasonable rules
186 and orders necessary or suitable to that end, and to require
187 any reports, and to take any other action, consistent with
188 Chapter 10 of this title, necessary or suitable to that end.

189 (15) To administer and perform, by and under the
190 direction of the Secretary of ~~Labor~~Workforce, all functions
191 and duties of Chapter 11 of this title, and it shall have
192 power and authority to adopt and enforce all reasonable rules
193 and orders necessary or suitable to that end, and to require
194 any reports, and to take any other action, consistent with
195 Chapter 11 of this title, necessary or suitable to that end.

196 (16) To administer and perform, by and under the

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197 direction of the Secretary of ~~Labor~~Workforce, all functions
198 and duties of Chapter 12 of this title, and it shall have
199 power and authority to adopt and enforce all reasonable rules
200 and orders necessary or suitable to that end, and to require
201 any reports, and to take any other action, consistent with
202 Chapter 12 of this title, necessary or suitable to that end.

203 (17) To administer and perform, by and under the
204 direction of the Secretary of ~~Labor~~Workforce, all functions
205 and duties of Chapter 13 of this title, and to require any
206 reports, and to take any other action, consistent with Chapter
207 13 of this title, necessary or suitable to that end.

208 (18) To administer and perform, by and under the
209 direction of the Secretary of ~~Labor~~Workforce, all functions
210 and duties of Chapter 14 of this title, and it shall have
211 power and authority to adopt and enforce all reasonable rules
212 and orders necessary or suitable to that end, and to require
213 any reports, and to take any other action, consistent with
214 Chapter 14 of this title, necessary or suitable to that end.

215 (19) To perform the duties set forth in subsection
216 (a) (5) of this chapter related to the administration of Title
217 III of the Wagner-Peyser Act and the Employment Service and
218 the Alabama Career Center Systems within the State.

219 (20) To cooperate with all authorities of the United
220 States concerning the development, management, and delivery of
221 workforce and labor market information funded through the
222 Workforce and Labor Market Information Grants to States (WIGS)
223 implementation of the federal Workforce Information Grant.

224 (21) To cooperate with all authorities of the United

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225 States concerning the management and delivery of the Jobs for
226 Veterans State Grants Program.

227 (22) To cooperate with all authorities of the United
228 States concerning the management and delivery of the federal
229 Work Opportunity Tax Credit.

230 (23) To cooperate with all authorities of the United
231 States concerning the management and delivery of the Federal
232 Bonding Program.

233 (24) To administer the Alabama Workforce Board, its
234 Executive Committee, and the Regional Workforce Boards.

235 (25) To collaborate with the Alabama Workforce Board,
236 its Executive Committee, and other state agencies,
237 departments, boards, and commissions to develop cohesive and
238 coordinated workforce development strategies, programs, and
239 budget recommendations.

240 (26) To administer all workforce development programs
241 currently administered by the Department of Commerce, except
242 for the Alabama Industrial Development Training Institute,
243 including, but not limited to:

244 a. Programs funded by Title I of the federal Workforce
245 Innovation and Opportunity Act.

246 b. The Alabama Office of Apprenticeship.

247 c. The Alabama Committee on Credentialing and Career
248 Pathways established by Act 2019-506.

249 d. The Alabama Committee on Credential Quality and
250 Transparency established by Act 2023-365.

251 e. The Alabama STEM Council.

252 f. The Office of Education and Workforce Statistics.

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253 ~~(b) The combining of the functions of the Department of~~
 254 ~~Industrial Relations and Department of Labor made by Act~~
 255 ~~2012-496 shall reduce administrative costs and expenses paid~~
 256 ~~from the State General Fund by an amount equal to at least 20~~
 257 ~~percent of the amount appropriated from the State General Fund~~
 258 ~~to the Department of Labor for the fiscal year ending~~
 259 ~~September 30, 2012.~~

260 (b) All state-level staff and state-owned assets
 261 assigned to Regional Workforce Councils at the Department of
 262 Commerce shall be transferred to the Department of Workforce."

263 Section 4. Section 25-2-3, Code of Alabama 1975, is
 264 amended to read as follows:

265 "§25-2-3

266 (a) The Secretary of ~~Labor~~Workforce, with the approval
 267 of the Governor, may establish such division or divisions as
 268 may, in his discretion, be necessary or desirable for the
 269 administration or enforcement of any law or any rule or
 270 regulations with which the Department of ~~Labor~~Workforce is
 271 charged or the performance of any of its functions or duties.
 272 Each division in the Department of ~~Labor~~Workforce shall be
 273 headed by and be under the direction, supervision and control
 274 of an officer who shall be designated as the chief of such
 275 division. All chiefs of divisions shall be appointed by the
 276 Secretary of ~~Labor~~Workforce, ~~subject to the provisions of the~~
 277 ~~Merit System~~and shall serve in the exempt service. Before
 278 entering upon the discharge of their duties, such chiefs of
 279 divisions shall take the constitutional oath of office. Each
 280 of such officers shall devote his full time to his official

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281 duties and shall hold no other lucrative position while
282 serving as such.

283 (b) It is one of the purposes of this chapter to
284 coordinate in a single Unemployment Compensation Division,~~in~~
285 ~~one division of the Department of Labor,~~ all of the state's
286 unemployment compensation services~~and employment service~~.
287 Unemployment compensation services~~and employment service~~
288 shall be in one division of the Department of ~~Labor~~Workforce
289 under the direction of the chief of said division.~~Within said~~
290 ~~division, but subordinate to the chief thereof, there shall be~~
291 ~~a full-time salaried director of unemployment compensation and~~
292 ~~a full-time salaried director of employment service.~~ The
293 ~~salaries~~salary of ~~said the division~~ chief ~~and directors~~
294 ~~shall~~may be paid ~~solely~~ from federal grants and shall be
295 comparable to those paid similar officers in comparable
296 states, notwithstanding any limitation or maximum in any other
297 law. The division chief may employ personnel in the classified
298 service of the Merit System to carry out the duties of this
299 division.

300 (c) It is another purpose of this chapter to coordinate
301 in a single Workforce Pathways Division, all of the
302 department's workforce development functions and workforce
303 funding mechanisms, including the Alabama Workforce Board; the
304 regional workforce boards; the employment service and Alabama
305 Career Center System; the Alabama Office of Apprenticeship;
306 the Alabama STEM Council; the Office of Education and
307 Workforce Statistics; programs funded by Title I of the
308 federal Workforce Innovation and Opportunity Act; the Alabama

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309 Committee on Credentialing and Career Pathways; the Alabama
310 Committee on Credential Quality and Transparency; the
311 Workforce and Labor Market Information Grants for States Grant
312 program and the Labor Market Division; the Federal Bonding
313 Program; the federal Jobs for Veterans State Grants Program;
314 and the federal Work Opportunity Tax Credit. The division
315 chief may employ personnel in the classified service of the
316 Merit System to carry out the duties of this division. It is
317 the intent of the Legislature that the Workforce Pathways
318 Division of the Department of Workforce serve as the
319 centralized data and information repository for the workforce
320 development activities of the state."

321 Section 5. Chapter 15 of Title 25, Code of Alabama
322 1975, is added to read as follows:

323 § 25-15-1. Alabama Workforce Board; creation; purpose.

324 (a) The Governor shall establish the Alabama Workforce
325 Board as the State Workforce Development Board for purposes of
326 Section 101 of the Workforce Innovation and Opportunity Act of
327 2014 (P.L. 113-128), as amended, and to carry out its purposes
328 pursuant to state law; provided, that in the event of a
329 conflict between state law and WIOA, WIOA shall prevail.

330 (b) It is the intent of the Legislature that all state
331 and local entities that receive state-appropriated funding and
332 are engaged in workforce development activities will fully
333 participate in and cooperate with the activities and
334 recommendations of the Board, but the Board shall not directly
335 exercise governing control of state and local agencies,
336 departments, educational institutions, boards, commissions,

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337 and other workforce development entities except as otherwise
338 prescribed by law.

339 (c) For purposes of this chapter, "WIOA" means the
340 Workforce Innovation and Opportunity Act of 2014 (P.L.
341 113-128), as amended.

342 § 25-15-2. Duties of the Board.

343 The duties of the Alabama Workforce Board include:

344 (1) Advising and supporting the Governor, Legislature,
345 and state agencies concerning the administration, development,
346 and continual improvement of the state's workforce development
347 system consistent with the Strategic Workforce Plan, WIOA, and
348 other federal workforce development programs.

349 (2) Assisting the Governor in performing the functions
350 set forth in 20 C.F.R. § 679.130 and as contemplated by any
351 other WIOA provision or regulation.

352 (3) Coordinating the federal WIOA funding component of
353 the state's workforce development programs.

354 (4) Developing accountability metrics for state and
355 federal workforce programs, in addition to the metrics already
356 prescribed by law.

357 (5) Supporting the efforts of the Secretary of
358 Workforce, who shall serve as the principal point of contact
359 for state agencies and departments, public officials,
360 businesses, and the public with respect to all aspects of the
361 state's workforce development activities.

362 (6) Consulting with officials, leaders, and experts in
363 workforce development including, but not limited to, federal,
364 state, and local agencies, departments, educational

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365 institutions, boards, commissions, the private sector, and
366 other leaders and experts.

367 § 25-15-3. Composition of the Board; chair; bylaws.

368 (a) The Alabama Workforce Board shall consist of no
369 more than forty (40) members, or their designees, and meet the
370 membership criteria established by WIOA. All members, unless
371 otherwise provided in this subsection, shall be appointed by
372 the Governor. A majority of members shall be representatives
373 of business and industry, at least one of which shall
374 represent small business. Twenty percent of the members shall
375 be representatives of workforce, including two (2) labor
376 representatives and one (1) apprenticeship program
377 representative. The Board shall also include one
378 representative of the WIOA Title I-b programs; the State Adult
379 Education Director; one representative of the Wagner-Peyser
380 Program; the Commissioner of the Alabama Department of
381 Rehabilitation Services; the Chancellor of the Alabama
382 Community College System; the Secretary of Workforce; one
383 member of the Alabama Senate appointed by the presiding
384 officer of the Senate; one member of the Alabama House of
385 Representatives appointed by the Speaker of the House; one
386 county commissioner appointed by the Governor; one mayor
387 appointed by the Governor; and the Governor or his or her
388 designee. The overall membership of the board should be
389 inclusive and reflect the racial, gender, geographic,
390 urban/rural, and economic diversity of the state.

391 (b) The Governor shall appoint a chairperson from the
392 business representatives on the Board as set forth in WIOA. In

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393 addition, the Governor shall appoint a vice chairperson from
394 the business representatives on the Board.

395 (c) The Governor shall establish bylaws governing the
396 membership and activities of the board as required by WIOA and
397 its implementing regulations, including 20 C.F.R. §679.110(d).

398 (d) Members may serve no more than two four-year terms
399 as provided in the bylaws established pursuant to subsection
400 (c) of this section.

401 § 25-15-4. Board meetings; committees.

402 (a) The Alabama Workforce Board shall meet at least
403 four times per year but may meet more frequently at the call
404 of the chairperson or the Governor.

405 (b) Meetings of the Board and any committee established
406 pursuant to this subsection shall be conducted pursuant to the
407 Open Meetings Act.

408 (c) The Governor, or the chairperson with the consent
409 of the Governor, may establish and dissolve standing and ad
410 hoc committees. The Governor, or the chairperson with the
411 consent of the Governor, shall appoint the chair and members
412 of all standing and ad hoc committees.

413 § 25-15-5. Alabama Workforce Board Executive Committee;
414 creation; purpose.

415 (a) There is hereby established the Executive Committee
416 of the Alabama Workforce Board that shall be comprised of
417 seven (7) members, including the Governor or the Governor's
418 designee, the Chair of the Alabama Workforce Board, and five
419 (5) executive level business leaders who shall be appointed by
420 the Governor, and who may or may not be members of the Alabama

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421 Workforce Board. The Secretary of Workforce shall serve as a
422 non-voting ex officio member of the Executive Committee.

423 (b) The Governor shall appoint a chairperson and vice
424 chairperson of the Executive Committee.

425 (c) The Executive Committee shall meet at least two
426 times per year but may meet more frequently at the call of the
427 chairperson or the Governor.

428 (d) The Executive Committee shall be responsible for
429 reviewing budget requests, making recommendations for the
430 expenditure of state and federal funds for workforce
431 development activities, assisting the Secretary of Workforce
432 in preparing the consolidated workforce development budget
433 recommendation, working with the Secretary of Workforce to
434 prepare the Strategic Workforce Plan, developing recommended
435 performance goals and evaluation metrics related to the
436 expenditure of state and federal funds for workforce
437 development activities, and working with the Secretary of
438 Workforce to provide oversight of the Alabama Workforce Board.

439 (e) Meetings of the Executive Committee shall be
440 subject to the Open Meetings Act.

441 § 25-15-6. Strategic Workforce Plan and WIOA State
442 Plan.

443 (a) It is the intent of the Legislature that a single,
444 unified Strategic Workforce Plan should guide state and
445 federal workforce development policies and budget priorities
446 that are administered by the State. The Strategic Workforce
447 Plan shall be prepared by the Executive Committee, with
448 support from the Secretary of Workforce, and published by the

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449 Department.

450 (b) The Secretary of Workforce shall submit the
451 Strategic Workforce Plan to the Governor and the Legislature
452 on or before February 1 of the first year of each legislative
453 quadrennium. The four-year Strategic Workforce Plan shall
454 include, among other things, statewide labor market
455 projections for the quadrennium and recommendations for
456 meeting labor market demand. The Plan should also include
457 recommendations for expenditure of state and federal funds for
458 workforce development activities; analyze previous
459 expenditures for workforce development activities and
460 programs; make recommendations for sunseting existing
461 programs and developing new programs; and provide
462 recommendations for performance and accountability metrics for
463 all state and federal workforce programs.

464 (c) The Plan may be updated through an annual addendum,
465 which shall be submitted to the Governor on or before November
466 1 of each year. The annual addendum to the four-year Strategic
467 Workforce Plan should include recommendations for the next
468 fiscal year, including the expenditure of state and federal
469 funds for workforce development activities, and should make
470 recommendations for sunseting existing programs and
471 developing new programs.

472 (d) The Board shall assist the Governor and the
473 Secretary of Workforce in preparing the WIOA State plan, as
474 required by federal law. The WIOA State Plan shall demonstrate
475 that the membership of the Alabama Workforce Board satisfies
476 the WIOA state workforce development board membership

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477 requirements, including the requirements set forth in 20
478 C.F.R. §679.110(b). The Executive Committee may approve the
479 WIOA State Plan. The WIOA State Plan shall be included as an
480 addendum to the four-year Strategic Workforce Plan.

481 (e) When submitting a budget pursuant to section
482 41-4-82, the Governor shall certify that he or she has
483 reviewed and considered the WIOA State Plan, the Strategic
484 Workforce Plan, and the annual addendum to the Strategic
485 Workforce Plan as approved by the Executive Committee.

486 § 25-15-7. Regional Workforce Boards; establishment;
487 duties; meetings; objectives.

488 (a) At the direction of the Governor, the Secretary of
489 Workforce shall establish seven regional workforce boards to
490 serve as Alabama's local workforce development boards for
491 purposes of Section 107 of the Workforce Innovation and
492 Opportunity Act of 2014 (P.L. 113-128), as amended. The
493 Department of Workforce shall establish bylaws governing the
494 membership and activities of the regional workforce boards in
495 compliance with WIOA. Such local workforce development boards
496 shall be certified by the Governor pursuant to 29 U.S.C.
497 §3122(a).

498 (b) The Secretary of Workforce shall establish
499 geographic boundaries of the regional workforce boards and
500 criteria for the appointment of members to the regional
501 workforce boards consistent with WIOA, including 29 U.S.C.
502 §3122 and 20 C.F.R. §679.110. One such criterion shall be a
503 duty for an appointing official to consult with the Secretary
504 of Workforce before making an appointment to a regional

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505 workforce board.

506 (c) The Department of Workforce may adopt rules
507 pursuant to the Alabama Administrative Procedure Act to carry
508 out this section.

509 (d) A regional workforce board shall perform the
510 functions set forth in WIOA, including each of the following:

511 (1) Develop a local plan as provided in WIOA,
512 consistent with the WIOA State Plan and the Strategic
513 Workforce Plan.

514 (2) Publish, for core and partner agency and public
515 use, workforce research and regional labor market analysis
516 using primary state labor market information provided by the
517 department.

518 (3) Convene local workforce development system
519 stakeholders to assist in the development of the local plan.

520 (4) Lead local efforts to engage with a diverse range
521 of employers.

522 (5) Lead local efforts to develop and implement career
523 pathways.

524 (6) Lead local efforts to identify and promote
525 promising workforce development strategies.

526 (7) Lead local efforts to integrate data and technology
527 systems.

528 (e) A regional workforce board shall submit an annual
529 budget request to the Secretary of Workforce and the Executive
530 Committee that is consistent with the Strategic Workforce
531 Plan. A regional workforce board's annual budget submission
532 shall demonstrate that the membership of the board satisfies

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533 the relevant WIOA state workforce development board membership
534 requirements, including the requirements set forth in 29
535 U.S.C. § 3122 and 20 C.F.R. § 679.320. The membership of any
536 regional workforce board may not exceed twenty (20) members. A
537 regional workforce development board may not expend state or
538 federal workforce development funds except pursuant to a
539 categorical annual budget approved by the Secretary of
540 Workforce.

541 § 25-15-8. Reimbursement for expenses.

542 The members of the Alabama Workforce Board, including
543 members of the Executive Committee, and members of the
544 regional workforce boards shall not receive a salary or per
545 diem allowance but shall be entitled to reimbursement for
546 reasonable expenses incurred in the performance of the duties
547 of the office at the same rate allowed state employees.

548 Section 6. Section 25-2-6, Code of Alabama 1975, is
549 amended to read as follows:

550 "§25-2-6

551 (a) The Department of ~~Labor~~Workforce shall be headed by
552 and shall be under the direction, supervision, and control of
553 an officer who shall be known and designated as the Secretary
554 of ~~Labor~~Workforce. The Secretary of ~~Labor~~Workforce shall be
555 the advisor of the Governor and the Legislature in matters
556 relating to workforce development, employer-employee relations
557 and the welfare of the wage earners of the state. He or she
558 shall be responsible to the Governor for the administration of
559 the Department of ~~Labor~~Workforce.

560 (b) The Secretary of ~~Labor~~Workforce shall be appointed

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561 by the Governor and shall hold office at the pleasure of the
562 Governor. To the extent reasonable, the Governor should
563 consider an individual's experience in workforce development
564 matters, human resources, and the private sector. Vacancies
565 for any reason shall be filled in the same manner as original
566 appointments are made.

567 (c) Before entering upon the discharge of his or her
568 duties, the Secretary of ~~Labor~~Workforce shall take the
569 constitutional oath of office. Before entering upon the duties
570 of office, the Secretary of ~~Labor~~Workforce shall execute to
571 the State of Alabama a bond, to be approved by the Governor,
572 in an amount to be fixed by the Governor, but not less than
573 \$10,000.00, for the faithful performance of the duties of the
574 office. The annual salary of the Secretary of ~~Labor~~Workforce
575 shall be fixed by the Governor at a sum comparable to salaries
576 paid similar officers in other states, notwithstanding any
577 limitation or maximum in any other law, ~~\$1,200.00 of which sum~~
578 ~~shall be paid from moneys of the State of Alabama and the~~
579 ~~remainder from grants of the United States of America to this~~
580 ~~state.~~ Such salary shall be payable at the same time and in
581 the same manner as the salaries of other state officers. The
582 Secretary of ~~Labor~~Workforce is authorized and empowered to
583 make such agreements as may be necessary or proper with the
584 United States of America with respect to the proration of
585 funds from the State of Alabama and funds from the federal
586 government for the salary paid to the Secretary of
587 ~~Labor~~Workforce by virtue of the provisions of this section.

588 (d) The Secretary of ~~Labor~~Workforce shall devote full

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589 time to his or her official duties and shall not hold another
590 office under the government of the United States, or under any
591 other state, or of this state or any political subdivision
592 thereof, during his or her incumbency in such office, and
593 shall not hold any position of trust or profit, or engage in
594 any occupation or business the conduct of which shall
595 interfere or be inconsistent with his or her duties as
596 Secretary of ~~Labor~~Workforce under the provisions of this
597 title.

598 (e) The Secretary of Workforce shall be the state's
599 primary workforce development officer and shall be responsible
600 for making recommendations to the Governor and the Legislature
601 on state workforce development strategies, which shall be
602 consistent with the Strategic Workforce Plan.

603 (f) (1) The Secretary of Workforce shall work with the
604 Executive Committee to develop consolidated state workforce
605 development budget recommendations that are consistent with
606 the Strategic Workforce Plan.

607 (2) When submitting a budget request pursuant to
608 section 41-4-84, the Secretary of Workforce shall certify that
609 he or she reviewed the WIOA State Plan approved by the Board,
610 reviewed the Strategic Workforce Plan developed by the
611 Executive Committee, solicited feedback from the Executive
612 Committee at least thirty (30) days prior to submitting the
613 budget request, and presented the budget request to the
614 Executive Committee at least five (5) days prior to its
615 submission.

616 (g) The Secretary of Workforce shall solicit annual

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617 funding and programmatic recommendations and updates from the
618 Department of Commerce, Alabama Industrial Development
619 Training (AIDT), the Alabama State Department of Education
620 Career and Technical Education (CTE) program, the Alabama
621 Community College System (ACCS), and any other departments or
622 agencies that the Secretary requests to submit information.

623 (h) When submitting a budget request pursuant to
624 section 41-4-84, the departments and agencies referenced in
625 subsection (g) of this section and any other departments or
626 agencies that request funding for workforce development
627 activities or programs must certify to the Director of Finance
628 that any funding requested for workforce development
629 activities or programs is consistent with the Strategic
630 Workforce Plan.

631 (i) Within five (5) days of receiving all budget
632 requests required to be submitted pursuant to section 41-4-84,
633 the Director of Finance shall forward to the Secretary of
634 Workforce and the Executive Committee all budget requests
635 submitted by the departments and agencies referenced in
636 subsection (g) of this section, along with any other budget
637 requests that include funding for workforce development
638 activities or programs."

639 Section 7. The Alabama Department of Commerce Workforce
640 Development Division, as established by Section 41-29-5, Code
641 of Alabama 1975, is hereby renamed the Alabama Industrial
642 Development and Training Institute. The Code Commissioner
643 shall conform references to the "Workforce Development
644 Division" in Chapter 29 of Title 41 in the Code of Alabama

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645 1975, accordingly. The Code Commissioner shall also change
 646 references to the Deputy Secretary of Commerce of the
 647 Workforce Development Division in Chapter 29 of Title 41 in
 648 the Code of Alabama 1975, to the Secretary of Commerce. These
 649 Code changes shall be made at a time determined to be
 650 appropriate by the Code Commissioner.

651 Section 8. Section 41-29-5, Code of Alabama 1975, is
 652 amended to read as follows:

653 "§41-29-5

654 ~~On the date determined pursuant to Section 41-29-6,~~

655 ~~†~~The Department of Commerce shall be ~~re~~organized into two
 656 divisions that shall have the functions prescribed as follows:

657 (1) The Business Development Division shall be
 658 responsible for all of the functions of the Department of
 659 Commerce as it existed before date determined pursuant to
 660 Section 41-29-6, including, but not limited to, small business
 661 advocacy; the functions performed by the Alabama Small
 662 Business Commission, created and functioning pursuant to
 663 Section 41-29-240 and international trade.

664 (2) The Alabama Industrial Development and Training
 665 Institute shall provide employer-specific, employer-tailored
 666 workforce development programs in connection with the
 667 Department's award of economic development incentives pursuant
 668 to state law.~~The Workforce Development Division shall be~~
 669 ~~comprised of the following entities which shall report to the~~
 670 ~~Deputy Secretary of the division: The Workforce Development~~
 671 ~~Division and Workforce Investment Division of the Department~~
 672 ~~of Economic and Community Affairs, formerly Chapter 23 of~~

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673 ~~Title 41, the Alabama Industrial Development and Training~~
674 ~~Institute, formerly functioning pursuant to Sections 41-9-1080~~
675 ~~to 41-9-1086, inclusive, and the Alabama Workforce Council and~~
676 ~~the regional workforce councils of the Department of~~
677 ~~Postsecondary Education, formerly functioning pursuant to~~
678 ~~Sections 16-66-1 to 16-66-8, inclusive, and the Legislative~~
679 ~~Oversight Commission of the Alabama Department of Economic and~~
680 ~~Community Affairs, formerly functioning pursuant to Section~~
681 ~~41-23-7.~~

682 ~~Any transfer of personnel, appropriations, funds, or~~
683 ~~property, real or personal from the Alabama Community College~~
684 ~~System to the Department of Commerce pursuant to this~~
685 ~~subdivision, shall be made with the cooperation and approval~~
686 ~~of the Chancellor and the Board of Trustees of the Alabama~~
687 ~~Community College System."~~

688 Section 9. Section 41-29-282, Code of Alabama 1975, is
689 amended to read as follows:

690 "§41-29-282

691 AIDT shall operate as a part~~division~~ ~~of the Workforce~~
692 ~~Development Division~~ of the Department of Commerce. All of the
693 powers, authority, duties, functions, policies, and funds of,
694 and appropriations to, AIDT previously conferred upon or
695 granted to AIDT reporting to the State Board of Education
696 through the Division of Vocational-Technical Education or by
697 Alabama Executive Order No. 2012-31 are confirmed, ratified,
698 continued, transferred to, and vested in AIDT. All contracts,
699 leases, grants, and agreements previously entered by AIDT
700 shall continue in full force and effect without modification

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701 or interruption by this restructuring. All property currently
702 owned by AIDT shall continue to be the property of AIDT. If
703 AIDT plans to construct any new building, retrofit or renovate
704 any of its existing buildings, or request or receive any state
705 or federal funding to construct, retrofit, or renovate any of
706 its buildings, the AIDT director must first certify to the
707 Governor that the proposal is consistent with the Strategic
708 Workforce Plan. AIDT shall continue to be headed by the
709 director, who shall be appointed by the Secretary of Commerce
710 and shall serve at his or her pleasure. The powers, duties,
711 and qualifications required of the director shall be as set
712 forth in the AIDT Policy Manual, as amended from time to time
713 and approved by the Secretary of Commerce."

714 Section 10. The Code Commissioner is directed to
715 recodify Section 298, Division 4, Article 3, Chapter 29, Title
716 41, Code of Alabama 1975, related to the Alabama College and
717 Career Readiness Act; Division 7, Article 3, Chapter 29, Title
718 41, Code of Alabama 1975, relating to the Alabama Industry
719 Recognized and Registered Apprenticeship Program Act; Division
720 8, Article 3, Chapter 29, Title 41, Code of Alabama 1975,
721 related to the Eliminating Legal Barriers to Apprenticeship
722 (ELBA) Act; Division 9, Article 3, Chapter 29, Title 41, Code
723 of Alabama 1975, related to the Alabama Credential Quality and
724 Transparency Act; Division 10, Article 3, Chapter 29, Title
725 41, Code of Alabama 1975, related to the Alabama Terminal on
726 Linking and Analyzing Statistics on Career Pathways to a new
727 chapter within Title 25, Code of Alabama 1975, relating to
728 Industrial Relations and Labor. The Code Commissioner is

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729 further directed to replace any reference to "Alabama State
730 Workforce Development Board" or "Alabama Workforce Council"
731 with "Alabama Workforce Board." The Code Commissioner is
732 further directed to replace any reference to "regional
733 workforce development boards" or "regional workforce councils"
734 with "regional workforce board." Changes to the Code of
735 Alabama shall be made at a time determined to be appropriate
736 by the Code Commissioner.

737 Section 11. Section 41-29-290, Section 41-29-291,
738 Section 41-29-292, Section 41-29-293, Section 41-29-294,
739 Section 41-29-295, Section 41-29-296, and Section 41-29-297,
740 Code of Alabama 1975, relating to the Alabama Workforce
741 Council, are specifically repealed. Section 41-29-300, Code of
742 Alabama 1975, relating to the Regional Workforce Development
743 Councils, is specifically repealed.

744 Section 12. The provisions of this act shall be fully
745 implemented not later than October 1, 2025.

746 Section 13. This act shall become effective on October
747 1, 2024, following its passage and approval by the Governor,
748 or its otherwise becoming law.