

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO. _____

Wyoming Industry Partnership Act.

Sponsored by: Joint Minerals, Business and Economic
Development Interim Committee

A BILL

for

1 AN ACT relating to the administration of government;
2 creating the Wyoming Industry Partnership Act; providing
3 definitions; establishing industry partnerships; providing
4 for a grant process; establishing the industry partnership
5 account; providing for rulemaking; requiring reports;
6 providing an appropriation; and providing for effective
7 dates.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

10

11 **Section 1.** W.S. 9-2-2901 through 9-2-2906 are created

12 to read:

13

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

ARTICLE 29

WYOMING INDUSTRY PARTNERSHIP ACT

9-2-2901. Short title.

This article shall be known as the "Wyoming Industry Partnership Act of 2009."

9-2-2902. Definitions.

(a) As used in this article:

(i) "Council" means the Wyoming workforce development council;

(ii) "Department" means the Wyoming department of workforce services;

(iii) "Economic development entity" means a group of private citizens organized as a business entity authorized to do business in this state for the purpose of providing financing for new, existing or expanding

1 businesses and other economic or community development
2 purposes;

3

4 (iv) "Education or training entity" means:

5

6 (A) Any Wyoming community college, the
7 University of Wyoming, private post secondary educational
8 institution and private school or organization providing
9 training in Wyoming which is licensed or registered under
10 W.S. 21-2-401 through 21-2-407; or

11

12 (B) Any training facility and entity
13 approved and registered with the office of apprenticeship,
14 United States department of labor.

15

16 (v) "Industry identified solution" means the
17 development, recruitment or retention project that develops
18 or enhances the skills of Wyoming's workforce and supports
19 an industry in meeting its workforce needs;

20

21 (vi) "Industry partnership" means an industry
22 directed collaboration, supported by economic development,

1 education and workforce systems to address common workforce
2 needs;

3

4 (vii) "Industry sector" means a group of
5 employers closely linked by common products or services,
6 workforce needs, similar technologies, supply chains or
7 other economic links;

8

9 (viii) "Targeted industry sector" means an
10 industry sector identified by the department as having
11 statewide or regional economic impact, immediate workforce
12 development needs and emerging or competitive career
13 opportunities.

14

15 **9-2-2903. Industry sectors; identification.**

16

17 (a) Industry sectors identified by the department in
18 conjunction with the council, shall be based on at a
19 minimum, the following:

20

21 (i) Economic growth potential;

22

23 (ii) Competitiveness;

1

2 (iii) Employment base;

3

4 (iv) Wages, benefits and career opportunities;

5

6 (v) Workforce development needs;

7

8 (vi) Importance of the industry sector to the
9 state and regional economy.

10

11 (b) The department shall periodically evaluate the
12 industry sectors and determine the need for any
13 modifications to the targeted industry sectors.

14

15 **9-2-2904. Industry partnership; goals.**

16

17 (a) The goals of an industry partnership are to:

18

19 (i) Foster innovation and a competitive
20 advantage in global markets;

21

22 (ii) Organize businesses, employers, workers,
23 labor organizations and industry associations into a

1 collaborative structure that supports the sharing of
2 information, ideas and challenges common to their industry;

3

4 (iii) Identify the training needs of multiple
5 employers, especially skills critical to competitiveness
6 and innovation to the industry;

7

8 (iv) Facilitate economies of scale by
9 aggregating training and education needs of multiple
10 employers;

11

12 (v) Assist educational and training institutions
13 to align curriculum and programs to industry demand;

14

15 (vi) Assist industry partnership companies to
16 work together to identify and to address common
17 organizational and human resource challenges, such as
18 recruiting new workers, retaining incumbent workers,
19 implementing a high performance work organization, adopting
20 new technologies and fostering on-the-job learning;

21

1 (vii) Develop and strengthen career paths within
2 and across companies and industries to enable entry level
3 workers to improve skills and advance to higher wage jobs;
4

5 (viii) Assist industry partnership companies to
6 attract potential employees from a diverse job seeker base,
7 including individuals with barriers to employment,
8 including job seekers who are economically disadvantaged,
9 younger workers, older workers or workers who previously
10 have been incarcerated;
11

12 (ix) Assist employers in maintaining a constant
13 and sufficient supply of available and qualified workers;
14

15 (x) Assist job seekers in enhancing their
16 employability, career potential and labor market rewards.
17

18 **9-2-2905. Industry partnership account; proposals;**
19 **grants; rulemaking.**
20

21 (a) The industry partnership account is created in
22 the department to support industry partnerships and to
23 implement industry identified solutions.

1

2 (b) A competitive grant program shall be established
3 by the department that provides support to industry
4 partnerships and to implement industry identified
5 solutions.

6

7 (c) Grants shall be used to meet the goals under W.S.
8 9-2-2904(a).

9

10 (d) The department shall:

11

12 (i) Establish grant guidelines and develop grant
13 applications;

14

15 (ii) Develop forms and promulgate rules and
16 regulations as may be necessary to implement the provisions
17 of this section, which at a minimum shall include:

18

19 (A) A competitive application process;

20

21 (B) A process to review applications;

22

1 (C) A process for providing applicants with
2 additional information about eligibility requirements and
3 assistance in preparing applications;

4

5 (D) A procedure for establishing
6 eligibility requirements for industry partnerships, which
7 at a minimum shall include:

8

9 (I) Three (3) or more employers;

10

11 (II) One (1) education or training
12 entity;

13

14 (III) One (1) economic development
15 entity;

16

17 (IV) One (1) person representing the
18 department; and

19

20 (V) A private sector in-kind or cash
21 matching fund of at least twenty-five percent (25%) of a
22 grant awarded under this article.

23

1 (e) A grant may be awarded for approved industry
2 partnership applications, subject to available funds. Any
3 proposal for a grant shall be filed with the department on
4 or before July 31 of each calendar year. A grant awarded
5 to an industry partnership shall be for a period not to
6 exceed two (2) years and shall not exceed fifty thousand
7 dollars (\$50,000.00) per year. Thereafter, no state
8 assistance shall be provided for the industry partnership
9 funded under this section.

10

11 (f) A grant may be awarded to an approved industry
12 partnership to implement industry identified solutions,
13 subject to available funds. Any proposal for a grant shall
14 be filed with the department on or before July 31 of each
15 calendar year. A grant shall not be awarded for the
16 purchase of equipment or capital construction. A grant
17 awarded to an industry partnership to implement industry
18 identified solutions shall be for a period not to exceed
19 two (2) years and shall not exceed one million dollars
20 (\$1,000,000.00) for the first year and shall not exceed
21 eight hundred seventy five thousand dollars (\$875,000.00)
22 for the second year. Thereafter, no state assistance shall

1 be provided for the industry partnership to implement
2 industry identified solutions funded under this section.

3

4 (g) The department shall provide technical assistance
5 to grantees during the grant period.

6

7 (h) Following review of all applications submitted
8 under this section, the department shall notify each
9 applicant of the department's decision and shall provide
10 each applicant a written statement of reasons for approving
11 or denying the application. If the application is
12 approved, the department shall award the grant from the
13 amounts made available by the legislative appropriation for
14 purposes of this section.

15

16 **9-2-2906. Evaluation; reports; rulemaking.**

17

18 (a) The department shall create and implement an
19 evaluation system that:

20

21 (i) Collects critical industry partnership
22 information on an annual basis or more frequently as
23 determined by the department;

1

2 (ii) Defines the benefits of the partnership and

3 its activities to employers, workers and communities; and

4

5 (iii) Provides performance information to the

6 public and workforce stakeholders.

7

8 (b) The department shall coordinate year-end reviews

9 of each industry partnership grantee and produce a

10 comprehensive industry sector overview report that includes

11 the results of the industry partnership grantee in meeting

12 the goals pursuant to W.S. 9-2-2904(a).

13

14 (c) The department shall consult with the council

15 before final adoption of rules and regulations under this

16 section.

17

18 (d) By September 1, 2010, the department shall report

19 to the joint minerals, business and economic development

20 interim committee on the funds awarded under this article.

21 The report shall include partnerships funded, the impact of

22 the partnerships, any industry identified solutions, the

23 impact of the industry identified solutions on current,

1 projected and emerging shortages in the Wyoming economy,
2 industry, employer and employee participation in workforce
3 programs, systemic changes that benefited industries,
4 employers and employees, partners' ability to streamline
5 efforts and resources and the results of the expenditures
6 appropriated.

7

8 **Section 2.**

9

10 (a) There is appropriated fifteen million eight
11 hundred thousand dollars (\$15,800,000.00) from the general
12 fund to the department of workforce services. This
13 appropriation shall be for the period beginning July 1,
14 2009 and ending June 30, 2010. This appropriation shall
15 only be expended as follows:

16

17 (i) Eight hundred thousand dollars (\$800,000.00)
18 for grants awarded pursuant to W.S. 9-2-2905(e).

19

20 (ii) Fifteen million dollars (\$15,000,000.00)
21 for grants awarded pursuant to W.S. 9-2-2905(f).

22

1 (b) Notwithstanding any other provision of law, this
2 appropriation shall not be transferred or expended for any
3 other purpose and any unexpended, unobligated funds
4 remaining from this appropriation shall revert as provided
5 by law on June 30, 2010. This appropriation shall be
6 included in the department of workforce service's 2011-2012
7 standard biennial budget request.

8

9 **Section 3.**

10

11 (a) Except as provided in subsection (b) of this
12 section, this act is effective July 1, 2009.

13

14 (b) Section 1 of this act is effective immediately
15 upon completion of all acts necessary for a bill to become
16 law as provided by Article 4, Section 8 of the Wyoming
17 Constitution.

18

19

(END)