

AMENDED IN SENATE MAY 18, 1999

AMENDED IN SENATE MARCH 16, 1999

**SENATE BILL**

**No. 178**

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**Introduced by Senator Polanco**

January 12, 1999

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~~An act to add Chapter 7.7 (commencing with Section 180) to Division 1 of the Labor Code, relating to work force investment, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately. An act to add Chapter 5 (commencing with Section 14460) to Part 5 of Division 3 of Title 2 of the Government Code, relating to smart communities.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 178, as amended, Polanco. Work force investment: *Department of Transportation: smart communities.*

Existing law contains various provisions for job training and placement. The federal Workforce Investment Act of 1998 provides for work force investment activities, including activities in which states may participate.

*This bill would, upon the availability of funds in the annual Budget Act, require the Director of Transportation, in collaboration with the California Institute for Smart Communities and the California State University, San Diego, to establish a demonstration Smart Communities Strategic Investment Program within the Department of Transportation, as specified. The bill would provide financial assistance to local governments, school districts, institutions of*

higher education, community-based nonprofit organizations, or any other public agency for funding under the demonstration program based on certain criteria. The bill would create the 21st Century Smart Communities Fund in the State Treasury for purposes of this bill.

~~This bill would create the Governor’s Council on Workforce Investment and Economic Development, with members appointed by the Governor and Legislature, which would advise the Governor with regard to preparation of the state’s Workforce Investment Plan as required by the federal act. The bill would appropriate \$20,000 from the General Fund to the Governor for startup costs relating to the council, as specified.~~

~~The bill would declare that it is to take effect immediately as an urgency statute.~~

Vote:  $\frac{2}{3}$  majority. Appropriation: yes no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 ~~SECTION 1. (a) This act shall be known and may be~~  
 2 *SECTION 1. Chapter 5 (commencing with Section*  
 3 *14460) is added to Part 5 of Division 3 of Title 2 of the*  
 4 *Government Code, to read:*

5  
 6 *CHAPTER 5. SMART COMMUNITIES STRATEGIC INVESTMENT*  
 7 *PROGRAM*

8  
 9 *14460. The Legislature finds and declares the*  
 10 *following:*

11 *(a) Information technology and telecommunications*  
 12 *have been used successfully by other states and nations to*  
 13 *strengthen regional and local community economies*  
 14 *through increased access to information and by*  
 15 *facilitating the efficient delivery of government and*  
 16 *community services.*

17 *(b) The creation of community networks, or “smart*  
 18 *communities,” allows electronic access to numerous*  
 19 *resources and services, including, but not limited to,*  
 20 *education, training, health and social services,*



1 *telemedicine, emergency response, and rapid electronic*  
2 *transmittal of business operating tools, including, but not*  
3 *limited to, permits, licenses, and registering documents.*

4 (c) *The department, in its “Smart Communities*  
5 *Guidebook” published in January 1997, defined “smart*  
6 *communities” as a geographic region ranging in size from*  
7 *a neighborhood to a multicounty area whose residents,*  
8 *organizations, and governing institutions are using*  
9 *information technology to transform a region in*  
10 *significant ways. The department’s publication*  
11 *recognizes that cooperation among government,*  
12 *industry, educators, and its citizenry, instead of individual*  
13 *groups acting in isolation, is preferred.*

14 (d) *As a component of the department’s, “smart*  
15 *communities” research, the department has established*  
16 *a Caltrans Telecommunications mission designed to*  
17 *pioneer development of telecommunications mobility as*  
18 *a component of the state’s transportation system, in a*  
19 *manner allowing more efficient movement of not only*  
20 *vehicles, but to also allow increased mobility for people,*  
21 *goods, information, and services.*

22 (e) *California has been investing in developing a*  
23 *system of one-stop career centers for the integrated*  
24 *delivery of employment, education, and training services.*  
25 *Under the federal Workforce Investment Act of 1998*  
26 *(P.L. 105-220), that replaces the federal Job Training*  
27 *Partnership Act, one-stop career centers will be the*  
28 *mandated delivery system. The “smart communities”*  
29 *model can be effectively deployed to expand the capacity*  
30 *of one-stop career centers to provide accessible*  
31 *employment and training resources to underserved*  
32 *communities, including inner city urban and rural areas.*

33 14661. *The department shall establish a Smart*  
34 *Communities Strategic Investment Program for*  
35 *purposes of enabling the department to approach*  
36 *mobility fulfillment offered by “smart communities” in a*  
37 *manner consistent with the state’s energy conservation*  
38 *and air pollution abatement objectives.*

39 14662. (a) *Upon the availability of funds in the*  
40 *annual Budget Act, the director, in collaboration with the*



1 California Institute for Smart Communities and the  
2 California State University, San Diego, shall establish a  
3 demonstration Smart Communities Strategic Investment  
4 Program within the department. The demonstration  
5 program shall be designed to assist local governments,  
6 school districts, institutions of higher education,  
7 community-based nonprofit organizations, or any other  
8 public agency in planning and development of  
9 community and regional telecommunications networks  
10 that support work force training and education through  
11 the establishment of telecommunications links to  
12 California's one-stop career centers. The one-stop centers  
13 shall be designed to provide electronic delivery of  
14 education and training to meet needs of business and  
15 industry for a skilled work force with priority given for  
16 rural and inner city locations.

17 (b) Applicants by those entities described in  
18 subdivision (a) for funds under this section shall be  
19 required to provide a 50 percent match in dollars or  
20 in-kind resources.

21 (c) Funds awarded under this section shall be utilized  
22 to enhance the capacity of the state's one-stop career  
23 centers to provide the following:

24 (1) Preemployment services designed to assist  
25 participants through skills assessment, language and basic  
26 skill enhancement, work force training and placement.

27 (2) Postemployment services providing employees  
28 with work-based learning and skill enhancement support.

29 (3) Teleconferencing resources to create a  
30 cost-effective mechanism to assist in one-stop career  
31 center administration, coordination, and communication  
32 through technology enhancements including, but not  
33 limited to, video conferencing, computer networks, and  
34 satellite broadcasting.

35 14665. There is hereby created in the State Treasury  
36 the 21st Century Smart Communities Fund. Money in  
37 that fund shall be used by the department, upon  
38 appropriation, to carry out this chapter.

39 ~~cited as the California Workforce Investment Act of 1999.~~



1 ~~(b) (1) The federal Workforce Investment Act of~~  
2 ~~1998 provides for work force investment activities,~~  
3 ~~through statewide and local work force investment~~  
4 ~~systems, that increase the employment, retention, and~~  
5 ~~earnings of participants, and increase occupational skill~~  
6 ~~attainment by participants, and, as a result, improve the~~  
7 ~~quality of the work force, reduce welfare dependency,~~  
8 ~~and enhance the productivity and competitiveness of the~~  
9 ~~nation. That act requires the participation of the state in~~  
10 ~~these programs and the coordination of federal and state~~  
11 ~~work force investment activities.~~

12 ~~(2) The federal Workforce Investment Act of 1998~~  
13 ~~represents the first major reform of the nation's job~~  
14 ~~training system in over 15 years. The act is the~~  
15 ~~culmination of a four year bipartisan effort on the part of~~  
16 ~~the administration and Congress of the United States to~~  
17 ~~design, with states and local communities, a revitalized~~  
18 ~~system that provides workers with the information,~~  
19 ~~advice, job search assistance, and training they need to~~  
20 ~~get and keep good jobs, and provides employers with~~  
21 ~~skilled workers.~~

22 ~~(c) Existing state law contains various programs in the~~  
23 ~~following areas, that need to be modified to coordinate~~  
24 ~~with, and build upon, the federal Workforce Investment~~  
25 ~~Act of 1998:~~

- 26 ~~(1) Work force investment systems.~~
- 27 ~~(2) Adult dislocated worker and youth activities.~~
- 28 ~~(3) Adult education.~~
- 29 ~~(4) Postsecondary vocational education.~~
- 30 ~~(5) Work force investment-related activities.~~
- 31 ~~(6) Welfare-to-work programs.~~
- 32 ~~(7) Vocational rehabilitation.~~
- 33 ~~(8) Older Americans programs.~~
- 34 ~~(9) Trade adjustment assistance.~~
- 35 ~~(10) NAFTA assistance.~~
- 36 ~~(11) Veterans employment and training programs.~~
- 37 ~~(12) Community services block grants.~~
- 38 ~~(13) Unemployment assistance.~~

39 ~~(d) The federal Workforce Investment Act of 1998~~  
40 ~~requires the Governor of each state to appoint an~~



1 ~~advisory board to assist the Governor in the performance~~  
2 ~~of various duties, including the preparation of the state's~~  
3 ~~initial Workforce Investment Plan, which must be~~  
4 ~~submitted to the United States Department of Labor no~~  
5 ~~later than April 1, 2000.~~

6 ~~SEC. 2. Chapter 7.7 (commencing with Section 180)~~  
7 ~~is added to Division 1 of the Labor Code, to read:~~

8

9 ~~CHAPTER 7. WORKFORCE INVESTMENT PLAN~~

10

11 ~~180. (a) The Governor's Council on Workforce~~  
12 ~~Investment and Economic Development, hereinafter~~  
13 ~~known as the "Governor's Council," is hereby created.~~

14 ~~(b) It is the intent of the Legislature that the~~  
15 ~~Governor's Council created by this section shall be in full~~  
16 ~~compliance with Sections 111 and 121 of the federal~~  
17 ~~Workforce Investment Act of 1998 (P.L. 105-220), which~~  
18 ~~require a state-level work force investment board that is~~  
19 ~~advisory to the Governor.~~

20 ~~(c) All members of the Governor's Council shall be~~  
21 ~~appointed by the Governor, except for the legislative~~  
22 ~~representatives. Senate representatives shall be~~  
23 ~~appointed by the Senate Committee on Rules. Assembly~~  
24 ~~representatives shall be appointed by the Speaker of the~~  
25 ~~Assembly.~~

26 ~~(d) The composition of the Governor's Council shall~~  
27 ~~be consistent with the requirements of the federal~~  
28 ~~Workforce Investment Act of 1998, and shall include~~  
29 ~~representatives of advocacy groups for the following~~  
30 ~~target populations:~~

31 ~~(1) Migrant and seasonal farmworkers.~~

32 ~~(2) Native Americans.~~

33 ~~(3) CalWORKs participants.~~

34 ~~(4) The disabled.~~

35 ~~(5) Youth entering the work force.~~

36 ~~(6) The homeless.~~

37 ~~(7) African-American males.~~

38 ~~(8) Other underemployed populations, including~~  
39 ~~veterans, immigrants, prison inmates, and parolees.~~



1 ~~(e) The Governor's Council shall also include~~  
2 ~~academies and researchers with expertise in economic~~  
3 ~~development and work force preparation.~~

4 ~~(f) The initial duties of the Governor's Council shall be~~  
5 ~~those set forth in Section 111 of the federal Workforce~~  
6 ~~Investment Act of 1998. The Governor shall otherwise~~  
7 ~~establish the duties of the council.~~

8 ~~(g) Staff may be appointed to assist the Governor's~~  
9 ~~Council in carrying out its responsibilities. All staff shall~~  
10 ~~be appointed by the Governor.~~

11 ~~(h) Commencing with the 1999-2000 fiscal year,~~  
12 ~~funding for the support of the Governor's Council shall be~~  
13 ~~appropriated to the Governor in the annual Budget Act.~~

14 ~~SEC. 3. The sum of twenty thousand dollars (\$20,000)~~  
15 ~~is hereby appropriated from the General Fund to the~~  
16 ~~Governor for startup costs for the Governor's Council on~~  
17 ~~Workforce Investment and Economic Development~~  
18 ~~created by Section 180 of the Labor Code.~~  
19 ~~Notwithstanding any other provision of law, if the funds~~  
20 ~~appropriated by this section are not expended in the~~  
21 ~~1998-99 fiscal year, those funds shall be available for~~  
22 ~~expenditure by the Governor for the expenses of the~~  
23 ~~council in the 1999-2000 fiscal year.~~

24 ~~SEC. 4. This act is an urgency statute necessary for the~~  
25 ~~immediate preservation of the public peace, health, or~~  
26 ~~safety within the meaning of Article IV of the~~  
27 ~~Constitution and shall go into immediate effect. The facts~~  
28 ~~constituting the necessity are:~~

29 ~~In order to implement the federal Workforce~~  
30 ~~Investment Act of 1998 in a timely manner, it is necessary~~  
31 ~~for this act to take effect immediately.~~

