

SENATE BILL NO. 359

INTRODUCED BY M. CAFERRO

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A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE MONTANA ECONOMIC DEVELOPMENT AND VETERANS' JOB TRAINING ACT; PROVIDING FOR ADMINISTRATION OF THE ACT; ESTABLISHING A STATEWIDE TRUCK DRIVER TRAINING AND JOB PLACEMENT PROGRAM; GRANTING RULEMAKING AUTHORITY TO THE DEPARTMENT OF LABOR AND INDUSTRY; AND PROVIDING AN EFFECTIVE DATE."

WHEREAS, Montana veterans have served and sacrificed to protect and defend our state and nation; and

WHEREAS, it is only right that as veterans return home we should honor their dedicated service with good employment opportunities as well as the opportunity to contribute to Montana's economic growth; and

WHEREAS, returning veterans offer employers the opportunity to hire well-trained, honest, loyal, trustworthy, and dedicated employees;

WHEREAS, trucking companies know that men and women who have given to their country have prepared themselves for any kind of challenge that they may face while driving trucks; and

WHEREAS, truck driving is a profession that most military veterans can adapt to easily with the long hours on the road, the loneliness that is often part of the job description, and the extended periods between seeing family and friends; and

WHEREAS, trucking companies know that military veterans are dedicated to service, are able to consistently follow through with orders, and are likely to make truck driving a career and not just another job; and

WHEREAS, increases in demand for licensed, commercial truck drivers is a common, recurring problem that the United States faces each time it recovers from a sliding economy; and

WHEREAS, current truck driver shortages are a clear sign that the economy is on an upswing and the trucking industry is at the front line of that recovery; and

WHEREAS, commercial truck drivers are a part of one of the single largest occupations in the country, responsible for more than 3.2 million jobs in 2008, according to the U.S. Bureau of Labor Statistics;

WHEREAS, the U.S. economy is beginning to rebound, freight is at its highest level in years and should continue to increase, and with more freight on the road there is a greater need for truck drivers to move that freight;



1 WHEREAS, new safety standards will increase the demand for more highly skilled truck drivers;  
2 WHEREAS, one out of every six drivers is 55 years of age or older and as these professionals begin to  
3 retire, new drivers will be needed to replace them.

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5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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7 NEW SECTION. Section 1. Short title. [Sections 1 through 6] may be cited as the "Montana Economic  
8 Development and Veterans' Job Training Act".

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10 NEW SECTION. Section 2. Purpose -- intent. [Sections 1 through 6] are enacted to reduce the  
11 unemployment rate for eligible Montana veterans by addressing workforce shortages in Montana's trucking  
12 industry, thus providing a bridge to help strengthen Montana's economy. To fulfill this purpose, it is the intent of  
13 the legislature that a statewide program be established that will, to the extent funding is appropriated by the  
14 legislature, fill critical shortages in Montana's truck driving industry by helping veterans, their spouses, and  
15 unemployed or underemployed dislocated workers who are interested in becoming truck drivers to receive the  
16 support, case management services, and training services they need to gain employment as truck drivers in  
17 Montana.

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19 NEW SECTION. Section 3. Definitions. As used in [sections 1 through 6], unless the context requires  
20 otherwise, the following definitions apply:

21 (1) "Department" means the department of labor and industry established in 2-15-1701.

22 (2) "Eligible costs" means:

23 (a) expenses incurred by a service provider to help eligible veterans, their spouses, and unemployed  
24 or underemployed dislocated workers apply for program participation, enroll in and receive necessary training,  
25 and apply for employment in Montana's truck driving industry;

26 (b) expenses incurred by eligible veterans, their spouses, and unemployed or underemployed dislocated  
27 workers in the course of program participation, such as travel, lodging, child care, or other incidental activities  
28 necessary to apply and be trained for employment as a truck driver.

29 (3) "Eligible veteran" means an individual who:

30 (a) is a veteran as defined in 39-29-101;

1 (b) is a Montana resident;

2 (c) passes a physical examination approved by the department that demonstrates that the person will  
3 be physically capable of passing a driver's license examination for a commercial driver's license, as defined in  
4 61-1-101, for driving a truck, as defined in 61-1-101; and

5 (d) agrees to seek employment in the Montana trucking industry before accepting a permanent full-time  
6 position in another public or private industry in Montana or a job that is located outside of the state.

7 (4) "Lead agency" means a private, nonprofit corporation with which the department contracts pursuant  
8 to [section 4] for statewide administration of the program.

9 (5) "Program" means the statewide truck driver training and job placement program established pursuant  
10 to [sections 1 through 6].

11 (6) "Service provider" means a Montana-based public or private nonprofit entity, including a tribal entity,  
12 that assists individuals who are seeking employment.

13

14 **NEW SECTION. Section 4. Statewide program -- department duties -- funding -- rulemaking.** (1)

15 There is a statewide truck driver training and job placement program for eligible veterans, their spouses, and  
16 unemployed or underemployed dislocated workers.

17 (2) The department shall, through a competitive bidding process, contract with a lead agency to  
18 administer the program. The lead agency must be knowledgeable about the truck driving industry in Montana and  
19 experienced in workforce development, including job training and placement.

20 (3) To the extent funding is appropriated to the department for the purposes of [sections 1 through 6],  
21 the department shall allocate the funds to the lead agency to fulfill the duties prescribed in [section 5]. However,  
22 the department may use up to 5% of the appropriated funds to implement the provisions of [sections 1 through  
23 6], including contract oversight and program evaluation.

24 (4) The department shall adopt rules to implement the provisions of [sections 1 through 6]. The  
25 department rules must:

26 (a) set a maximum amount of money that may be spent for the eligible costs of each eligible trainee;

27 (b) set a maximum amount of money that may be spent for the eligible costs of a service provider on a  
28 per-person basis;

29 (c) set the criteria that the lead agency shall use to determine whether an individual is eligible; and

30 (d) set the criteria that the lead agency shall use to determine which training programs are approved to

1 provide training funded pursuant to [sections 1 through 6].

2 (5) The contract under subsection (2) must include provisions for reporting program evaluation  
3 information by the lead agency to the department. The information to be reported must include the demographics  
4 of program participants, expenditures, and the program's effectiveness in fulfilling the purposes described in  
5 [section 2]. The department shall produce for public inspection an annual report that includes the program  
6 evaluation information.

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8 **NEW SECTION. Section 5. Duties of lead agency.** Under the terms and conditions of the contract  
9 between the department and the lead agency pursuant to [section 4], the lead agency shall:

10 (1) provide statewide coordination among service providers, eligible veterans, their spouses, employers  
11 seeking truck drivers, and unemployed or underemployed dislocated workers seeking employment;

12 (2) administer the funds allocated to it by the department;

13 (3) promote the program to service providers throughout Montana;

14 (4) determine the eligibility of each applicant for participation in the program;

15 (5) allocate program funds to service providers on a per-person basis to pay the service provider's  
16 eligible costs;

17 (6) allocate program funds to pay the eligible costs of eligible trainees; and

18 (7) allocate program funds to be used for approved training.

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20 **NEW SECTION. Section 6. Duties of service providers.** To receive program funds, a service provider  
21 shall:

22 (1) assist eligible trainees to participate in the program; and

23 (2) provide case management and job placement services that:

24 (a) assist eligible trainees in applying for, enrolling in, and successfully completing truck driver training;

25 and

26 (b) assist eligible trainees in applying for employment in Montana as a truck driver.

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28 **NEW SECTION. Section 7. Notification to tribal governments.** The secretary of state shall send a  
29 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell  
30 Chippewa tribe.

