

A-Engrossed
House Bill 2727

Ordered by the House March 28
Including House Amendments dated March 28

Sponsored by Representative HOLVEY; Representatives BARNHART, HARKER, KOMP

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Establishes State Apprenticeship Education and Training Fund and continuously appropriates moneys in fund to State Apprenticeship and Training Council **and Bureau of Labor and Industries** for specified purposes.

Requires contracting agency to pay into State Apprenticeship Education and Training Fund amount equivalent to \$500 for each \$1 million **increment of contracting agency's share** of public improvement contract price **above threshold amount of \$1 million. Exempts Department of Transportation in certain circumstances.**

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to vocational education; appropriating money; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS 660.002 to**
5 **660.210.**

6 **SECTION 2. (1) The State Apprenticeship Education and Training Fund is established in**
7 **the State Treasury, separate and distinct from the General Fund. The moneys in the State**
8 **Apprenticeship Education and Training Fund consist of amounts collected under section 4**
9 **of this 2013 Act from contracting agencies that award public improvement contracts.**

10 **(2) Moneys in the State Apprenticeship Education and Training Fund may be invested as**
11 **provided in ORS 293.701 to 293.820. Interest from any source derived from investing the**
12 **moneys of the fund must be credited to the fund.**

13 **(3) The moneys in the State Apprenticeship Education and Training Fund are contin-**
14 **uously appropriated to:**

15 **(a) The State Apprenticeship and Training Council for the purposes of making grants on**
16 **a competitive basis and in conformance with a plan adopted under ORS 279C.807 to programs**
17 **that directly provide career technical education for occupations prevalent in the construction**
18 **industry. The council may consult with the Department of Education in determining which**
19 **programs should receive awards.**

20 **(b) The Bureau of Labor and Industries for the purpose of overseeing and monitoring**
21 **apprenticeship education and training programs, including programs identified in paragraph**
22 **(a) of this subsection, for compliance with applicable rules, standards and laws.**

23 **(4) The council may make grants from the State Apprenticeship Education and Training**
24 **Fund for the purposes described in subsection (3)(a) of this section to:**

25 **(a) Apprenticeship education and training programs, direct entry programs, and preap-**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 prenticeship and youth apprenticeship programs that are registered with the council;

2 (b) Public school districts, public schools, public charter schools, as defined in ORS
3 338.005, and education service districts; or

4 (c) Public post-secondary educational institutions.

5 **SECTION 3.** Section 4 of this 2013 Act is added to and made a part of ORS chapter 279C.

6 **SECTION 4.** (1)(a) Except as provided in paragraph (b) of this subsection, a contracting
7 agency that awards a contract for a public improvement shall pay an amount into the State
8 Apprenticeship Education and Training Fund that is equivalent to \$500 for each \$1 million
9 increment or fraction of each \$1 million increment of the contracting agency's share of the
10 contract price for the public improvement, above a threshold amount of \$1 million. A con-
11 tracting agency shall calculate and pay the amount required under this paragraph at the
12 time the contracting agency awards the contract for the public improvement.

13 (b) The requirement to pay an amount described in paragraph (a) of this subsection does
14 not apply to the Department of Transportation to the extent that the department must pay
15 all or a portion of the department's share of the contract price for the public improvement
16 from funds the department receives from the United States Department of Transportation
17 or another federal agency or from funds that the Oregon Constitution requires the depart-
18 ment to expend for specific public improvements or in a specific manner.

19 (2) Notwithstanding ORS 279A.010 (1)(cc)(A), for purposes of subsection (1) of this sec-
20 tion, "public improvement" includes a project for constructing, reconstructing or renovating
21 real property by or for a contracting agency in which the contractor does not receive funds
22 of the contracting agency but does receive a tax abatement, funds from the Administrative
23 Services Economic Development Fund, the Oregon Business Development Fund or another
24 economic development fund, or other funds or incentives from a public body, as defined in
25 ORS 174.109.

26 **SECTION 5.** Section 4 of this 2013 Act applies to a public improvement contract that a
27 contracting agency has advertised or otherwise solicited or, if the contracting agency has
28 not advertised or solicited the public improvement contract, to a public improvement con-
29 tract the contracting agency entered into on or after the operative date specified in section
30 6 of this 2013 Act.

31 **SECTION 6.** (1) Sections 2 and 4 of this 2013 Act become operative on January 1, 2014.

32 (2) The State Apprenticeship and Training Council and the Commissioner of the Bureau
33 of Labor and Industries may adopt rules and take related actions before the operative date
34 specified in subsection (1) of this section that are necessary to enable the council or the
35 commissioner to exercise, on and after the operative date specified in subsection (1) of this
36 section, all the duties, functions and powers conferred on the council or the commissioner
37 by section 2 of this 2013 Act.

38 (3) The Oregon Department of Administrative Services, the Attorney General and a
39 contracting agency that adopts rules under ORS 279A.065 may adopt rules and take related
40 actions that are necessary to enable the department, the Attorney General or the contract-
41 ing agency to exercise, on and after the operative date specified in subsection (1) of this
42 section, all of the duties, functions and powers conferred on the department, the Attorney
43 General or the contracting agency by section 4 of this 2013 Act.

44 **SECTION 7.** This 2013 Act being necessary for the immediate preservation of the public
45 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect

1 **on its passage.**

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