

House Bill 2616

Sponsored by Representatives HOLVEY, REARDON (Presession filed.)

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 **as introduced**.

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 Relating to vocational education; and declaring an emergency.

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

3 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS 660.002 to**
4 **660.210.**

5
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 2015 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 293.857. Interest from any source derived from investing the**
12 **moneys of the fund must be credited to the fund.**

13 **(3)(a) Moneys in the State Apprenticeship Education and Training Fund are continuously**
14 **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 grants.**

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 subpara-**
22 **graph (A) of this paragraph, for compliance with applicable rules, standards and laws.**

23 **(b) The Bureau of Labor and Industries each fiscal year may use moneys in the State**
24 **Apprenticeship Education and Training Fund, in amounts that the State Apprenticeship and**
25 **Training Council approves, to fund the oversight and monitoring functions described in par-**
26 **agraph (a)(B) of this subsection.**

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

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 (a) Apprenticeship education and training programs, direct entry programs and preap-
 2 prenticeship and youth apprenticeship programs that are registered with the council;

3 (b) Public school districts, public schools, public charter schools, as defined in ORS
 4 338.005, and education service districts; or

5 (c) Public post-secondary educational institutions.

6 **SECTION 3.** Section 4 of this 2015 Act is added to and made a part of ORS chapter 279C.

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

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

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

27 **SECTION 5.** Section 4 of this 2015 Act applies to a public improvement contract that a
 28 contracting agency has advertised or otherwise solicited or, if the contracting agency has
 29 not advertised or solicited the public improvement contract, to a public improvement con-
 30 tract the contracting agency entered into on or after the operative date specified in section
 31 6 of this 2015 Act.

32 **SECTION 6.** (1) Sections 2 and 4 of this 2015 Act become operative on January 1, 2016.

33 (2) The State Apprenticeship and Training Council and the Commissioner of the Bureau
 34 of Labor and Industries may adopt rules and take related actions before the operative date
 35 specified in subsection (1) of this section that are necessary to enable the council or the
 36 commissioner to exercise, on and after the operative date specified in subsection (1) of this
 37 section, all of the duties, functions and powers conferred on the council or the commissioner
 38 by section 2 of this 2015 Act.

39 (3) The Oregon Department of Administrative Services, the Attorney General and a
 40 contracting agency that adopts rules under ORS 279A.065 may adopt rules and take related
 41 actions that are necessary to enable the department, the Attorney General or the contract-
 42 ing agency to exercise, on and after the operative date specified in subsection (1) of this
 43 section, all of the duties, functions and powers conferred on the department, the Attorney
 44 General or the contracting agency by section 4 of this 2015 Act.

45 **SECTION 7.** This 2015 Act being necessary for the immediate preservation of the public

1 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
2 **on its passage.**

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