

# Senate Bill 82

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## 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**.

Directs Bureau of Labor and Industries to establish program to provide supportive services for preapprenticeship and apprenticeship programs in this state.

Directs Commissioner of Bureau of Labor and Industries to establish fee to be paid by certain public agencies that award public works contracts subject to prevailing wage laws.

Establishes State Apprenticeship and Training Supportive Services Fund.

## A BILL FOR AN ACT

1  
2 Relating to supportive services for registered apprenticeship programs; creating new provisions; and  
3 amending ORS 279C.534, 279C.825 and 279C.835.

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

5 **SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS 660.002 to**  
6 **660.210.**

7 **SECTION 2. (1) There is established in the Bureau of Labor and Industries the Registered**  
8 **Apprenticeship Opportunities and Retention Program.**

9 **(2) As part of the program established under this section, the bureau shall:**

10 **(a) Approve qualified preapprenticeship programs;**

11 **(b) Recruit economically disadvantaged individuals to participate in preapprenticeship and**  
12 **registered apprenticeship programs;**

13 **(c) Provide financial assistance for registered apprentices in the construction industry**  
14 **who are in an occupation that is eligible to qualify for the prevailing wage rate in a public**  
15 **works contract subject to ORS 279C.800 to 279C.870, including:**

16 **(A) Assistance with transportation costs;**

17 **(B) Assistance with lodging costs;**

18 **(C) Payment of per diem expenses for registered apprentices who are required to travel**  
19 **more than 60 miles round trip to attend work or class;**

20 **(D) Child care subsidies for registered apprentices who have one or more dependent**  
21 **children under the age of 12; and**

22 **(E) Job readiness supplies and equipment;**

23 **(d) Provide housing stabilization services for registered apprentices who have a docu-**  
24 **mented need;**

25 **(e) Provide social support for registered apprentices, including:**

26 **(A) Formal or informal mentoring; and**

27 **(B) Social events designed to provide apprentices with resources and best practices for**  
28 **successfully completing an apprenticeship program; and**

**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       **(f) Provide technical assistance to training agents on how to promote respect and cul-**  
 2 **tural competency in the workplace.**

3       **(3) Individuals who participate in preapprenticeship or registered apprenticeship pro-**  
 4 **grams and are receiving services from the Department of Transportation under ORS 184.866**  
 5 **may not receive services under this section.**

6       **SECTION 3.** ORS 279C.534 is amended to read:

7       279C.534. (1) The Bureau of Labor and Industries shall establish and provide staffing for an ad-  
 8 visory committee to:

9       **(a)** Monitor the implementation of, to advise state contracting agencies on compliance with, and  
 10 to advise the Legislative Assembly on changes needed for better implementation of the requirements  
 11 set forth in ORS 279C.533; **and**

12       **(b) Advise the bureau in the operation and evaluation of the program established under**  
 13 **section 2 of this 2019 Act.**

14       (2) The advisory committee consists of six members appointed by the Governor for a term of four  
 15 years, with equal representation from construction contractors that have completed public im-  
 16 provement contracts for the state, or from an association of construction contractors, and from  
 17 workers who have performed labor on public improvement contracts for the state, or from labor  
 18 organizations that represent the workers. The Governor may reappoint a member.

19       (3) The advisory committee may:

20       (a) Request reports from state contracting agencies concerning compliance with ORS 279C.533,  
 21 either regularly or in instances when the advisory committee believes a state contracting agency  
 22 has failed to comply;

23       (b) Conduct inspections of public improvement contract project sites to determine how state  
 24 contracting agencies and contractors have implemented the requirements of ORS 279C.533; and

25       (c) Make recommendations to the Commissioner of the Bureau of Labor and Industries con-  
 26 cerning changes that the advisory committee believes necessary to better implement the require-  
 27 ments of ORS 279C.533.

28       (4) A majority of the members of the advisory committee constitutes a quorum for transacting  
 29 business and a majority of the members of the advisory committee must approve any official action.

30       (5) The Governor shall appoint a member to replace any member that leaves a vacancy on the  
 31 advisory committee. The appointment is immediately effective.

32       (6) The advisory committee shall meet at least once each calendar quarter and may adopt pro-  
 33 cedures necessary to carry out the committee's functions.

34       (7) Members of the advisory committee are not entitled to compensation, but may be reimbursed  
 35 for actual and necessary travel and other expenses the members incur in performing the members'  
 36 official duties. The Bureau of Labor and Industries shall pay the expenses out of funds appropriated  
 37 to the bureau for the advisory committee.

38       **SECTION 4.** ORS 279C.825 is amended to read:

39       279C.825. (1)(a) The Commissioner of the Bureau of Labor and Industries, by order, shall estab-  
 40 lish a fee to be paid by the public agency that awards a public works contract subject to ORS  
 41 279C.800 to 279C.870. The commissioner shall use the fee to pay the costs of:

42       (A) Surveys to determine the prevailing rates of wage;

43       (B) Administering and providing investigations under and enforcement of ORS 279C.800 to  
 44 279C.870; and

45       (C) Providing educational programs on public contracting law under the Public Contracting

1 Code.

2 (b) The commissioner shall establish the fee at 0.1 percent of the contract price. However, in  
3 no event may a fee be charged and collected that is less than \$250 or more than \$7,500.

4 **(2)(a) In addition to the fee established under subsection (1) of this section, the commis-**  
5 **sioner shall establish by order a fee to be paid by a public agency, other than the Department**  
6 **of Transportation or the Oregon Military Department, that awards a public works contract**  
7 **subject to ORS 279C.800 to 279C.870.**

8 **(b) The commissioner shall establish the fee described in paragraph (a) of this subsection**  
9 **at 0.25 percent of the contract price.**

10 **(c) The commissioner shall use the fee described in paragraph (a) of this subsection to**  
11 **pay the costs of administering the program established under section 2 of this 2019 Act.**

12 [(2)] (3)(a) The commissioner shall pay moneys received under this section into the State  
13 Treasury.

14 **(b) The moneys received under subsection (1) of this section shall be credited to the Pre-**  
15 **ailing Wage Education and Enforcement Account created by ORS 651.185.**

16 **(c) The moneys received under subsection (2) of this section shall be credited to the State**  
17 **Apprenticeship and Training Supportive Services Fund established under section 6 of this**  
18 **2019 Act.**

19 [(3)] (4) The public agency shall pay [*the fee*] **any fees required by this section** at the time the  
20 public agency notifies the commissioner under ORS 279C.835 a contract subject to the provisions  
21 of ORS 279C.800 to 279C.870 has been awarded.

22 **SECTION 5.** ORS 279C.835 is amended to read:

23 279C.835. Public agencies shall notify the Commissioner of the Bureau of Labor and Industries  
24 in writing, on a form prescribed by the commissioner, whenever a contract subject to the provisions  
25 of ORS 279C.800 to 279C.870 has been awarded. The notification shall be made within 30 days of the  
26 date that the contract is awarded. The notification shall include payment of [*the fee*] **fees** required  
27 under ORS 279C.825 and a copy of the disclosure of first-tier subcontractors that was submitted  
28 under ORS 279C.370.

29 **SECTION 6.** (1) **The State Apprenticeship and Training Supportive Services Fund is es-**  
30 **tablished in the State Treasury, separate and distinct from the General Fund. The State**  
31 **Apprenticeship and Training Supportive Services Fund consists of moneys deposited in the**  
32 **fund under ORS 279C.825 and may include other moneys appropriated by the Legislative As-**  
33 **sembly.**

34 **(2) Moneys in the fund may be invested in the manner provided by ORS 293.701 to 293.857.**  
35 **Interest earned by the fund and the earnings of any investments shall be credited to the**  
36 **fund.**

37 **(3) The moneys in the fund and the interest and earnings on moneys in the fund are**  
38 **continuously appropriated to the Bureau of Labor and Industries for the purpose of admin-**  
39 **istering the program established under section 2 of this 2019 Act.**

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