

House Bill 2303

Sponsored by Representative EVANS (Pre-session 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**.

Transfers duties, functions and powers related to administering federal Workforce Innovation and Opportunity Act and workforce development matters from Higher Education Coordinating Commission to Bureau of Labor and Industries.

Establishes Office of Workforce Development within Bureau of Labor and Industries. Establishes Office of Workforce Development Account. Creates Oregon Workforce Corps to provide workforce development and employment opportunities.

Renames Office of Community Colleges and Workforce Development to Office of Community Colleges. Renames Office of Community Colleges and Workforce Development Account to Office of Community Colleges Account.

A BILL FOR AN ACT

Relating to workforce development; creating new provisions; and amending ORS 285A.516, 285A.519, 285A.522, 294.393, 294.456, 341.005, 341.019, 341.021, 341.039, 341.102, 341.105, 341.440, 341.446, 341.455, 341.487, 341.526, 341.551, 341.626, 341.655, 341.665, 341.670, 344.070, 344.080, 344.090, 344.125, 350.095, 350.150, 350.155, 350.160, 350.170, 350.175, 353.606, 408.506, 413.600, 417.799, 421.084, 576.871, 660.300, 660.318, 660.324, 660.339, 660.340, 660.341, 660.343, 660.346, 660.349, 660.352, 660.353 and 660.354.

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

OFFICE OF WORKFORCE DEVELOPMENT

SECTION 1. (1) The Office of Workforce Development is established within the Bureau of Labor and Industries. The office shall function under the direction and control of the bureau, with the Director of the Office of Workforce Development serving as an administrative officer for workforce development matters.

(2) Except as provided in subsection (3) of this section, the bureau may adopt any rules necessary for the effective and efficient administration of the office or for the administration of laws that the office is charged with administering.

(3) The bureau, in consultation with the State Workforce and Talent Development Board, workforce partners and the Education and Workforce Policy Advisor and pursuant to ORS chapter 183, may adopt any rules necessary for the administration of laws related to the federal Workforce Innovation and Opportunity Act that the bureau is charged with administering.

(4) The bureau is authorized to request, as part of the funding request relating to duties authorized under ORS 660.300 to 660.364, appropriations for budgetary items, including but not limited to workforce development and coordination of the state workforce development system.

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.

SECTION 2. (1) The Office of Workforce Development Account is established in the State Treasury, separate and distinct from the General Fund. Except for moneys otherwise designated by statute, all fees, assessments and other moneys received by the Office of Workforce Development shall be deposited into the State Treasury and credited to the account. All moneys in the account are continuously appropriated to the Bureau of Labor and Industries for purposes authorized by law.

(2) The office may accept gifts, grants and donations from any source to carry out the duties imposed upon the office. Moneys received under this subsection shall be paid into the account.

(3) The office shall keep a record of all moneys deposited into the account. The record shall indicate by separate cumulative subaccounts the sources from which the moneys are derived and the individual activity or program against which each withdrawal is charged.

(4) Disbursements from the account shall be made as directed by the bureau.

SECTION 3. (1) The Commissioner of the Bureau of Labor and Industries shall appoint a Director of the Office of Workforce Development who shall serve at the pleasure of the commissioner.

(2) The director shall:

(a) Be the executive head of the Office of Workforce Development.

(b) Direct and supervise all activities of the office.

(c) Hire staff, as authorized by the commissioner, to assist in carrying out the duties of the director. The staff shall be considered employees of the office for purposes of ORS chapters 240 and 243.

(d) Be responsible directly to the commissioner.

(3) The commissioner shall be responsible for submitting budget requests for the office to the Legislative Assembly. The Bureau of Labor and Industries shall ensure that the budget request for the office is separate and distinct from the bureau's other requests to the Legislative Assembly.

TRANSFER

SECTION 4. (1) The duties, functions and powers of the Higher Education Coordinating Commission that pertain to the administration of the federal Workforce Innovation and Opportunity Act and related workforce development matters are imposed upon, transferred to and vested in the Bureau of Labor and Industries.

(2) The duties, functions and powers of the Office of Community Colleges and Workforce Development that pertain to the administration of the federal Workforce Innovation and Opportunity Act and related workforce development matters are imposed upon, transferred to and vested in the Office of Workforce Development.

SECTION 5. (1)(a) The executive director of the Higher Education Coordinating Commission shall:

(A) Deliver to the Bureau of Labor and Industries all records and property within the jurisdiction of the executive director that relate to the duties, functions and powers transferred by section 4 of this 2021 Act; and

(B) Transfer to the Bureau of Labor and Industries those employees engaged primarily in the exercise of the duties, functions and powers transferred by section 4 of this 2021 Act.

1 **(b) The Commissioner of the Bureau of Labor and Industries shall take possession of the**
 2 **records and property, and shall take charge of the employees and employ them in the exer-**
 3 **cise of the duties, functions and powers transferred by section 4 of this 2021 Act, without**
 4 **reduction of compensation but subject to change or termination of employment or compen-**
 5 **sation as provided by law.**

6 **(c) The Governor shall resolve any dispute between the Higher Education Coordinating**
 7 **Commission and the Bureau of Labor and Industries relating to transfers of records, prop-**
 8 **erty and employees under this section, and the Governor’s decision is final.**

9 **(2)(a) The Director of the Office of Community Colleges and Workforce Development**
 10 **shall:**

11 **(A) Deliver to the Office of Workforce Development all records and property within the**
 12 **jurisdiction of the director that relate to the duties, functions and powers transferred by**
 13 **section 4 of this 2021 Act; and**

14 **(B) Transfer to the Office of Workforce Development those employees engaged primarily**
 15 **in the exercise of the duties, functions and powers transferred by section 4 of this 2021 Act.**

16 **(b) The Director of the Office of Workforce Development shall take possession of the**
 17 **records and property, and shall take charge of the employees and employ them in the exer-**
 18 **cise of the duties, functions and powers transferred by section 4 of this 2021 Act, without**
 19 **reduction of compensation but subject to change or termination of employment or compen-**
 20 **sation as provided by law.**

21 **(c) The Governor shall resolve any dispute between the Office of Community Colleges and**
 22 **Workforce Development and the Office of Workforce Development relating to transfers of**
 23 **records, property and employees under this section, and the Governor’s decision is final.**

24 **SECTION 6. (1)(a) The unexpended balances of amounts authorized to be expended by the**
 25 **Higher Education Coordinating Commission for the biennium beginning July 1, 2021, from**
 26 **revenues dedicated, continuously appropriated, appropriated or otherwise made available for**
 27 **the purpose of administering and enforcing the duties, functions and powers transferred by**
 28 **section 4 of this 2021 Act are transferred to and are available for expenditure by the Bureau**
 29 **of Labor and Industries for the biennium beginning July 1, 2021, for the purpose of adminis-**
 30 **tering and enforcing the duties, functions and powers transferred by section 4 of this 2021**
 31 **Act.**

32 **(b) The expenditure classifications, if any, established by Acts authorizing or limiting**
 33 **expenditures by the Higher Education Coordinating Commission remain applicable to expen-**
 34 **ditures by the Bureau of Labor and Industries under this section.**

35 **(2)(a) The unexpended balances of amounts authorized to be expended by the Office of**
 36 **Community Colleges and Workforce Development for the biennium beginning July 1, 2021,**
 37 **from revenues dedicated, continuously appropriated, appropriated or otherwise made avail-**
 38 **able for the purpose of administering and enforcing the duties, functions and powers trans-**
 39 **ferred by section 4 of this 2021 Act are transferred to and are available for expenditure by**
 40 **the Office of Workforce Development for the biennium beginning July 1, 2021, for the purpose**
 41 **of administering and enforcing the duties, functions and powers transferred by section 4 of**
 42 **this 2021 Act.**

43 **(b) The expenditure classifications, if any, established by Acts authorizing or limiting**
 44 **expenditures by the Office of Community Colleges and Workforce Development that relate**
 45 **to the duties, functions and powers transferred by section 4 of this 2021 Act remain appli-**

1 cable to expenditures by the Office of Workforce Development under this section.

2 **SECTION 7.** (1) The transfer of duties, functions and powers to the Bureau of Labor and
 3 Industries by section 4 of this 2021 Act does not affect any action, proceeding or prosecution
 4 involving or with respect to the duties, functions and powers begun before and pending at
 5 the time of the transfer, except that the Bureau of Labor and Industries is substituted for
 6 the Higher Education Coordinating Commission in the action, proceeding or prosecution.

7 (2) The transfer of duties, functions and powers to the Office of Workforce Development
 8 by section 4 of this 2021 Act does not affect any action, proceeding or prosecution involving
 9 or with respect to the duties, functions and powers begun before and pending at the time of
 10 the transfer, except that the Office of Workforce Development is substituted for the Office
 11 of Community Colleges and Workforce Development in the action, proceeding or prosecution.

12 **SECTION 8.** (1) Nothing in sections 4 to 6 of this 2021 Act relieves a person of a liability,
 13 duty or obligation accruing under or with respect to the duties, functions and powers
 14 transferred by section 4 of this 2021 Act. The Bureau of Labor and Industries or the Office
 15 of Workforce Development may undertake the collection or enforcement of any such liabil-
 16 ity, duty or obligation.

17 (2) The rights and obligations of the Higher Education Coordinating Commission legally
 18 incurred under contracts, leases and business transactions executed, entered into or begun
 19 before the operative date specified in section 67 of this 2021 Act accruing under or with re-
 20 spect to the duties, functions and powers transferred by section 4 of this 2021 Act are
 21 transferred to the Bureau of Labor and Industries. For the purpose of succession to these
 22 rights and obligations, the Bureau of Labor and Industries is a continuation of the Higher
 23 Education Coordinating Commission and not a new authority.

24 (3) The rights and obligations of the Office of Community Colleges and Workforce De-
 25 velopment legally incurred under contracts, leases and business transactions executed, en-
 26 tered into or begun before the operative date specified in section 67 of this 2021 Act accruing
 27 under or with respect to the duties, functions and powers transferred by section 4 of this
 28 2021 Act are transferred to the Office of Workforce Development. For the purpose of suc-
 29 cession to these rights and obligations, the Office of Workforce Development is a continua-
 30 tion of the Office of Community Colleges and Workforce Development and not a new
 31 authority.

32 **SECTION 9.** Notwithstanding the transfer of duties, functions and powers by section 4
 33 of this 2021 Act, the rules of the Higher Education Coordinating Commission with respect to
 34 such duties, functions or powers that are in effect on the operative date specified in section
 35 67 of this 2021 Act continue in effect until superseded or repealed by rules of the Bureau of
 36 Labor and Industries. References in such rules of the Higher Education Coordinating Com-
 37 mission to the Higher Education Coordinating Commission or an officer or employee of the
 38 Higher Education Coordinating Commission are considered to be references to the Bureau
 39 of Labor and Industries or an officer or employee of the Bureau of Labor and Industries.

40 **SECTION 10.** (1) Whenever, in any uncodified law or resolution of the Legislative As-
 41 sembly or in any rule, document, record or proceeding authorized by the Legislative Assem-
 42 bly, in the context of the duties, functions and powers transferred by section 4 of this 2021
 43 Act, reference is made to the Higher Education Coordinating Commission, or an officer or
 44 employee of the Higher Education Coordinating Commission, whose duties, functions or
 45 powers are transferred by section 4 of this 2021 Act, the reference is considered to be a

1 reference to the Bureau of Labor and Industries or an officer or employee of the Bureau of
 2 Labor and Industries who by this 2021 Act is charged with carrying out the duties, functions
 3 and powers.

4 (2) Whenever, in any uncodified law or resolution of the Legislative Assembly or in any
 5 rule, document, record or proceeding authorized by the Legislative Assembly, in the context
 6 of the duties, functions and powers transferred by section 4 of this 2021 Act, reference is
 7 made to the Office of Community Colleges and Workforce Development, or an officer or
 8 employee of the Office of Community Colleges and Workforce Development, whose duties,
 9 functions or powers are transferred by section 4 of this 2021 Act, the reference is considered
 10 to be a reference to the Office of Workforce Development or an officer or employee of the
 11 Office of Workforce Development who by this 2021 Act is charged with carrying out the du-
 12 ties, functions and powers.

13
 14 **CONFORMING AMENDMENTS**
 15

16 **SECTION 11.** ORS 285A.516 is amended to read:

17 285A.516. The Office of [*Community Colleges and*] Workforce Development is the state agency
 18 that shall be notified when an employer is required to provide written notice of a plant closing or
 19 mass layoff under section 3 of the Worker Adjustment and Retraining Notification Act (P.L. 100-379).

20 **SECTION 12.** ORS 285A.519 is amended to read:

21 285A.519. (1) The Office of [*Community Colleges and*] Workforce Development shall notify em-
 22 ployers subject to the Worker Adjustment and Retraining Notification Act (P.L. 100-379) that the
 23 Office of [*Community Colleges and*] Workforce Development is the state agency that must be notified
 24 when the employers are required to provide notice of a plant closing or mass layoff under the
 25 Worker Adjustment and Retraining Notification Act (P.L. 100-379).

26 (2) When notifying employers as provided in subsection (1) of this section, the office shall pro-
 27 vide employers with a statement of the programs, projects, expenditures and other forms of assist-
 28 ance the office and other state agencies can provide to communities, employers and workers affected
 29 by a plant closing or mass layoff.

30 **SECTION 13.** ORS 285A.522 is amended to read:

31 285A.522. (1) The Office of [*Community Colleges and*] Workforce Development shall prepare an
 32 annual report concerning plant closings and mass layoffs in this state. The report shall describe in
 33 detail each plant closing or mass layoff during the period covered by the report and the assistance
 34 and services provided to the affected employers, workers and communities. The report shall also
 35 contain the most recent information available relating to the current status of the employer, work-
 36 ers and community affected by each plant closing or mass layoff.

37 (2) The report prepared under this section shall be presented to the Governor, the President of
 38 the Senate, the Speaker of the House of Representatives and appropriate legislative committees.

39 **SECTION 14.** ORS 576.871 is amended to read:

40 576.871. (1) The report submitted by the Oregon Wine Board under ORS 182.472 must include a
 41 description of the long term strategic plan created by the board and a description of the progress
 42 made in implementing the statewide strategic objectives of the board during the most recent
 43 biennium.

44 (2) Notwithstanding ORS 182.462:

45 (a) The board shall prepare and submit annual plans and a budget recommended by the board

1 for promotion and for research during the next fiscal year.

2 (b) The board shall adopt rules specifying the procedures, criteria and timelines for the prepa-
3 ration and approval of the annual plans and budget for promotion and for research.

4 (c) The Director of the Oregon Business Development Department shall review the budget and
5 plans submitted under this section. In reviewing the annual plans and budget, the director shall
6 consider whether the information supplied by the board is factual and consistent with ORS 576.850
7 to 576.877 and the positive development of the Oregon wine grape growing and wine making indus-
8 tries. The director shall either approve the budget and plans prior to the commencement of the next
9 fiscal year or disapprove and return the budget and plans to the board with conditions necessary
10 for approval prior to the commencement of the next fiscal year. In reviewing the budget and plans,
11 the director may consult with and receive coordinated support from:

12 (A) The State Department of Agriculture;

13 (B) The Oregon Tourism Commission;

14 (C) Oregon State University;

15 **(D) The Office of Workforce Development;**

16 [~~D~~] **(E)** The Office of Community Colleges [*and Workforce Development*]; and

17 [~~E~~] **(F)** The Oregon Liquor Control Commission.

18 **SECTION 15.** ORS 660.300 is amended to read:

19 660.300. As used in ORS 660.300 to 660.364:

20 (1) “Chief elected official” means a county commissioner, a county judge or the mayor of the
21 City of Portland.

22 (2) “Federal Act” or “federal Workforce Innovation and Opportunity Act” means the federal
23 Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.).

24 (3) “Local workforce development area” means the City of Portland or a county when the city
25 or county has been designated as a local workforce development area under ORS 660.324. “Local
26 workforce development area” may include two or more counties that have joined together to form
27 a local workforce development area and that have been designated as a local workforce development
28 area under ORS 660.324.

29 (4) “Local workforce development board” means a board established pursuant to section 3122
30 of the federal Workforce Innovation and Opportunity Act.

31 (5) “Maritime sector” includes but is not limited to:

32 (a) Enterprises engaged in the design, construction, manufacture, acquisition, operation, supply,
33 repair or maintenance of marine vessels or component parts of marine vessels;

34 (b) Enterprises engaged in managing or operating shipping lines;

35 (c) Customs brokerage services, shipyards, shipping and freight forwarding services, dry docks,
36 marine railways and marine repair shops;

37 (d) Enterprises engaged in commercial or recreational fishing;

38 (e) Enterprises and academic institutions engaged in scientific research of ocean processes, ma-
39 rine life or other ocean resources; and

40 (f) Enterprises engaged in marine tours or travel, water sports or other marine leisure activities.

41 (6) “Office” means the Office of [*Community Colleges and*] Workforce Development.

42 (7) “Participant” means a person receiving services under the federal Workforce Innovation and
43 Opportunity Act (29 U.S.C. 3101 et seq.).

44 (8) “Participant records” means records relating to matters such as grades, conduct, personal
45 and academic evaluations, results of psychometric testing, counseling, disciplinary actions, if any,

1 and other personal matters.

2 (9) “State workforce agencies” means state agencies that administer workforce programs.

3 (10) “Workforce development” means services designed to help individuals attain employment
4 and progress along career pathways and to help businesses better achieve business goals by more
5 easily finding skilled employees. “Workforce development” includes:

6 (a) Education, training and apprenticeship services;

7 (b) Labor market analysis;

8 (c) Employment and reemployment services;

9 (d) Employee recruitment and retention services; and

10 (e) Convening, coordinating, oversight and evaluation services for business and state workforce
11 agencies.

12 (11) “Workforce programs” means programs that have a primary mission of helping individuals
13 become employed, retain employment, increase wages and progress along career pathways and that
14 are responsible for outcomes related to the primary mission.

15 **SECTION 16.** ORS 660.318 is amended to read:

16 660.318. (1) To implement and oversee state implementation of the federal Workforce Innovation
17 and Opportunity Act, the [*Higher Education Coordinating Commission*] **Bureau of Labor and In-**
18 **dustries** may:

19 (a) Receive federal youth activities funds allotted to this state by the Secretary of Labor pur-
20 suant to the federal Workforce Innovation and Opportunity Act and allocate those funds that are
21 not reserved according to an allocation formula recommended by the State Workforce and Talent
22 Development Board and approved by the Governor.

23 (b) Receive federal adult employment and training activities funds allotted to this state by the
24 Secretary of Labor pursuant to the federal Workforce Innovation and Opportunity Act and allocate
25 those funds that are not reserved according to an allocation formula recommended by the State
26 Workforce and Talent Development Board and approved by the Governor.

27 (c) Receive federal dislocated worker funds allotted to this state by the Secretary of Labor
28 pursuant to the federal Workforce Innovation and Opportunity Act and allocate those funds that are
29 not reserved according to an allocation formula recommended by the State Workforce and Talent
30 Development Board and approved by the Governor.

31 (d) Establish a procedure for use by local workforce development boards to identify eligible
32 providers of training services according to section 3174 of the federal Act and to maintain the list
33 of providers identified as eligible by the boards in all local workforce development areas in this
34 state.

35 (e) Receive the comprehensive strategic plan developed and implemented by each local
36 workforce development board and review the plan, with input from representatives of state and local
37 workforce programs, to determine if the plan meets the requirements of section 3123 of the federal
38 Act and state policy.

39 (f) Approve the plans, after review by the State Workforce and Talent Development Board, that
40 are found to meet the requirements of the federal Workforce Innovation and Opportunity Act and
41 review and approve any amendments to the plans.

42 (g) Carry out the required and allowable activities described in section 3174 of the federal Act
43 with the advice of the Education and Workforce Policy Advisor.

44 (h) Pursuant to ORS 660.339, establish procedures to maintain the confidentiality of the names
45 and records of participants in workforce programs for which the [*commission*] **bureau** is responsible,

1 including circumstances under which the names and records may be disclosed.

2 (i) Establish a method to set performance standards for the Secretary of Labor as required under
3 section 3141 of the federal Act.

4 (j) Perform planning functions related to programs and performance reporting under the federal
5 Workforce Innovation and Opportunity Act.

6 (2)(a) Subject to the availability of funds from the federal Workforce Innovation and Opportunity
7 Act, the [commission] **bureau** shall create and operate a summer youth employment program that
8 reestablishes meaningful summer work experience for persons between the ages of 14 and 24 and
9 that meets the requirements for funding under the federal Act.

10 (b) Programs funded under this subsection:

11 (A) Must include representatives of the business community in the planning, implementation and
12 evaluation of the program.

13 (B) May provide for private and public sector employment opportunities.

14 (C) Shall be managed by local workforce development boards in a manner that coordinates re-
15 gional state-sponsored youth work experience programs.

16 (c) Local workforce development boards responsible for managing programs created under this
17 subsection shall provide training for business, labor and education leaders in use of best practices
18 that ensure positive summer work experiences for participants.

19 (3) The [commission] **bureau** shall collaborate with the State Workforce and Talent Development
20 Board and local workforce development boards to collect data on summer work experience programs
21 that identify successful summer work experiences and allow for the identification and dissemination
22 of promising practices.

23 (4) The [commission] **bureau**, in consultation with the State Workforce and Talent Development
24 Board, may adopt rules pursuant to ORS chapter 183 to implement this section.

25 **SECTION 17.** ORS 660.324 is amended to read:

26 660.324. (1) The State Workforce and Talent Development Board shall identify:

27 (a) Key industries in this state and the workforce skills needed for key industries to grow and
28 thrive;

29 (b) In collaboration with workforce representatives, needs for education, training, work experi-
30 ence, and job preparation to ensure Oregonians access to stable high-wage jobs and employment
31 advancement; and

32 (c) Opportunities for partnerships with key industry sectors to coordinate workforce develop-
33 ment, economic development and education in response to industry and workforce needs.

34 (2) The board shall assist the Governor in:

35 (a) Developing Oregon's workforce development system;

36 (b) Ensuring timely consultation and collaboration with chief elected officials, local workforce
37 development boards and other workforce stakeholders, including but not limited to business and la-
38 bor organizations and organizations working with persons with disabilities, persons living at or be-
39 low 100 percent of the federal poverty guidelines and the chronically unemployed and
40 underemployed;

41 (c) Reviewing and approving local workforce plans;

42 (d) Developing, as required by the federal Act, allocation formulas for the distribution of funds
43 to local workforce development areas for adult employment and training activities and for youth
44 activities that are developed by the local workforce development boards;

45 (e) Working with local workforce development boards to increase efficiencies and align

1 workforce programs and services with local needs;

2 (f) Recommending the duties and responsibilities of state agencies to implement the federal Act,
 3 to avoid conflicts of interest and to capitalize on the experience developed by workforce partners
 4 that are efficient and effective at meeting the requirements of the federal Act;

5 (g) Participating in the development of a coordinated statewide system of activities and services
 6 that includes both mandatory and optional partners of the one-stop delivery system, as provided in
 7 the federal Act;

8 (h) Providing for the development, accountability and continuous improvement of comprehensive
 9 workforce performance measures to assess the effectiveness of the workforce development activities
 10 in this state;

11 (i) Developing a statewide employment statistics system, as described in section 15(e) of the
 12 Wagner-Peyser Act (29 U.S.C. 49L-2(e)); and

13 (j) Preparing an annual report and submitting it to the United States Department of Labor.

14 (3) The State Workforce and Talent Development Board, in partnership with the Governor, shall
 15 establish criteria for use by chief elected officials in appointing members to local workforce devel-
 16 opment boards in accordance with the requirements of section 3122 of the federal Workforce Inno-
 17 vation and Opportunity Act. The State Workforce and Talent Development Board shall establish the
 18 following requirements:

19 (a) To transact business at a meeting of a local workforce development board, a quorum of
 20 members must participate. A quorum shall consist of a majority of the members. At least 25 percent
 21 of the members participating must be representatives of business.

22 (b) When appropriate and upon a request from the chief elected official of a county or the City
 23 of Portland, the State Workforce and Talent Development Board shall consider the county or the
 24 City of Portland to be a candidate for designation as a local workforce development area. The board
 25 shall consult with the county or the City of Portland before designating it as a local workforce de-
 26 velopment area. After considering the criteria in section 3121 of the federal Act for designating local
 27 workforce development areas, chief elected officials may submit a request to the board to combine
 28 their units of government into a local workforce development area. The board shall make recom-
 29 mendations to the Governor about the designation of local workforce development areas. Only the
 30 Governor may designate local workforce development areas. The Governor must show just cause for
 31 not designating a requested local workforce development area. A county or the City of Portland may
 32 submit an appeal to the board, as provided in section 3121 of the federal Act, if the Governor does
 33 not grant the county's or the city's request to designate a local workforce development area.

34 (4) The State Workforce and Talent Development Board shall provide guidance and direction to
 35 local workforce development boards in the development of local workforce plans. The State
 36 Workforce and Talent Development Board shall adopt policies that:

37 (a) Require each local workforce development board, in partnership with its chief elected offi-
 38 cials and in accordance with section 3123 of the federal Act, to develop and submit to the Governor
 39 and the State Workforce and Talent Development Board a strategic local workforce plan that in-
 40 cludes, but is not limited to, performance goals; and

41 (b) Permit each local workforce development board, in consultation with its chief elected offi-
 42 cials:

43 (A) To determine, consistent with the requirements of the federal Act, the appropriate level of
 44 services based on the workforce needs in the local workforce development area; and

45 (B) To designate or certify one-stop operators and to terminate for cause the eligibility of such

1 operators.

2 (5) The State Workforce and Talent Development Board may charter and enter into performance
3 compacts with local workforce development boards.

4 (6) The State Workforce and Talent Development Board shall:

5 (a) Function as the primary advisory committee to the Employment Department in conjunction
6 with the Employment Department Advisory Council established under ORS 657.695;

7 (b) Collaborate with other advisory bodies also tasked with workforce development, including
8 but not limited to the Oregon State Rehabilitation Council, the Commission for the Blind, the State
9 Apprenticeship and Training Council, [and] the Higher Education Coordinating Commission **and the**
10 **Bureau of Labor and Industries;**

11 (c) Work with the Oregon Business Development Commission to identify areas of common in-
12 terest to efficiently align resources, recommend common strategies and provide accountability for
13 reaching statewide goals; and

14 (d) Hold state workforce agencies and local workforce development boards accountable for
15 meeting performance goals and system outcomes.

16 (7) The State Workforce and Talent Development Board shall convene, engage and coordinate
17 with senior executives of identified key industries in this state, the Oregon Business Development
18 Commission, the Higher Education Coordinating Commission, the Department of Education, the Bu-
19 reau of Labor and Industries, the STEM Investment Council, local workforce development boards,
20 the Employment Department, the Department of Human Services, the Commission for the Blind, the
21 Chief Education Office, the Youth Development Council and any other partners from training or
22 workforce development entities in this state to:

23 (a) Determine needs across identified key industries in this state, including challenges and op-
24 portunities in developing and growing relevant talent pipelines;

25 (b) Ensure that the talent pipeline development infrastructure includes:

26 (A) A listening process to collect workforce needs of employers from identified key industries
27 in this state;

28 (B) Curriculum alignment for high-demand occupation skill needs;

29 (C) Prediction and monitoring of national trends relating to high-demand industries and occu-
30 pations;

31 (D) Occupation-aligned education and training options with a clearly articulated progression;

32 (E) Skills assessments; and

33 (F) Academic career counseling;

34 (c) Utilize sector partnerships to:

35 (A) Advise the development of career pathway programs for critical occupations in identified
36 key industries in this state; and

37 (B) Ensure the coordination of education, economic development, business and workforce initi-
38 atives between key partners to develop a strong talent pipeline;

39 (d) Leverage and optimize existing measures and data systems to improve systems alignment and
40 interagency communication; and

41 (e) Ensure state alignment and coordination between industry sector partnerships and initiatives
42 in the local workforce development areas.

43 (8)(a) Every biennium, the State Workforce and Talent Development Board shall coordinate and
44 collaborate with entities listed under subsection (7) of this section to create a single, unified state
45 Workforce and Talent Development Plan.

(b) The Workforce and Talent Development Plan must include:

(A) A strategy, with quantitative goals, for the statewide workforce development system for the State of Oregon in accordance with section 3111 of the federal Workforce Innovation and Opportunity Act;

(B) Quantifiable goals designed to promote Oregonians' self-sufficiency and that will empower Oregonians to gain independence from public assistance and move up the socioeconomic ladder;

(C) Expectations for performance and the priorities for delivery of services to local workforce development boards and state workforce agencies;

(D) Industry-based information and data from the Employment Department and other agencies and entities listed in subsection (7) of this section related to talent needs and gaps;

(E) Analysis of data regarding the skills required for identified key industry jobs;

(F) Information regarding the status of career pathway programs targeted at identified key industries in this state;

(G) Recommendations related to advancing talent pipeline and career pathways development based on the identified talent issues and trends;

(H) Recommendations regarding the alignment and consistency of data nomenclature, collection practices and data sharing;

(I) Utilization and, as appropriate, expansion of existing data-sharing agreements between agencies and partners;

(J) Identification of talent issues and trends related to identified key industries in this state that are in strategic alignment with state and local workforce and economic priorities;

(K) Identification and prioritization of the urgent talent gaps of identified key industries in this state;

(L) A response to immediate talent needs through the creation of additional opportunities for Oregonians to pursue education and training in disciplines critical to the advancement of identified key industries in this state;

(M) Ways to strengthen efforts to enhance student work experience and job preparedness in high-demand and critical occupations;

(N) New means of delivering workforce training and proficiency-based education to enhance program efficiency, upgrading and sharing resources and facilities and improving student outcomes and access to typically underrepresented populations while meeting talent needs of traded sector and high growth industries; and

(O) Ways to increase the skills of the existing professional and technical workforce, including the issuance of certifications, badges and industry-based credentials.

(c) The State Workforce and Talent Development Board shall:

(A) Update the plan every biennium; and

(B) Submit a report about the plan every year to:

(i) The Governor; and

(ii) The Legislative Assembly in the manner provided by ORS 192.245.

SECTION 18. ORS 660.339 is amended to read:

660.339. (1) All participant records maintained by the local workforce development boards or any public or private agency involved in programs under the federal Workforce Innovation and Opportunity Act shall be confidential and except as provided in ORS 660.300 to 660.364 shall be open for inspection only in accordance with policies adopted by the [*Higher Education Coordinating Commission*] **Bureau of Labor and Industries**.

1 (2) A participant may provide written consent for the examination or release of any record
 2 pertaining to the participant.

3 (3) All information contained in participant files shall be available for inspection by the partic-
 4 ipant and by the participant's parent or legal guardian if the participant is under 18 years of age.
 5 Participant behavioral records shall be released only in the presence of an individual qualified to
 6 explain or interpret the records.

7 (4) The [commission] **bureau** may adopt policies and rules to provide the circumstances under
 8 which participant names or records may be made available for inspection when:

9 (a) Ordered by a court of competent jurisdiction.

10 (b) Necessary to protect the health or safety of a participant or another.

11 (c) Necessary to provide information to state and local agencies administering ORS 412.001 to
 12 412.161 and 412.991 and ORS chapters 418 and 657, other programs under the federal Workforce
 13 Innovation and Opportunity Act and other mandatory programs under this state's one-stop service
 14 delivery system.

15 (d) Necessary for program staff work or studies of a statistical or demographic nature.

16 (e) Necessary to carry out the planning and coordinating functions between state and local
 17 agencies under the federal Workforce Innovation and Opportunity Act, other applicable state laws
 18 or those functions assigned by the Education and Workforce Policy Advisor.

19 **SECTION 19.** ORS 660.340 is amended to read:

20 660.340. (1) There is created in the [*Higher Education Coordinating Commission*] **Bureau of**
 21 **Labor and Industries** the Oregon Employer Workforce Training Program. Subject to the availabil-
 22 ity of funding, and in consultation with the State Workforce and Talent Development Board, the
 23 [commission] **bureau** shall operate, and local workforce development boards shall manage, the pro-
 24 gram for the purpose of:

25 (a) Assisting businesses and consortia of businesses in implementing projects that identify and
 26 provide cost-effective solutions to the issues of employee training, retention and advancement;

27 (b) Maximizing the utilization of public and private resources for providing training to employed
 28 persons in skills that are responsive to the need of businesses and industries in Oregon to become
 29 and to remain competitive on the national and international level; and

30 (c) Responding to the need of workers in Oregon to develop current job skills necessary to meet
 31 the current and future needs of employers.

32 (2)(a) Businesses in industries identified in the plans developed by local workforce development
 33 boards as required by ORS 660.327 are eligible to participate in projects selected for participation
 34 in the program.

35 (b) Priority for approval of projects submitted under this subsection shall be given to businesses
 36 in industries that have the greatest impact on the local economy and emerging green jobs.

37 (3) Local workforce development boards shall:

38 (a) Identify businesses and consortia of businesses for potential participation in the program;

39 (b) Develop and implement an application process for projects proposed for the program;

40 (c) Notwithstanding the provisions of the Public Contracting Code, use an open and competitive
 41 procurement process for agreements entered into with participants in the program;

42 (d) Require that businesses participating in a project provide private sector funding equal to the
 43 amount of state funding provided for the project; and

44 (e) Track and report to the [commission] **bureau** the outcomes of projects implemented in the
 45 local workforce development area, including, but not limited to:

- 1 (A) The number of businesses participating in approved projects;
- 2 (B) The number and types of projects completed;
- 3 (C) The number of employees receiving training;
- 4 (D) The number of jobs retained or created by the businesses participating in the project; and
- 5 (E) The value of the private sector funding provided.

6 (4) The *[commission]* **bureau** shall adopt rules necessary for the implementation and operation
 7 of the program created under subsection (1) of this section. The rules shall include, but are not
 8 limited to, a process by which moneys may be appropriated and allocated to the local workforce
 9 development boards to support projects identified by the local workforce development boards under
 10 subsection (3) of this section.

11 **SECTION 20.** ORS 660.341 is amended to read:

12 660.341. The Oregon Employer Workforce Training Fund is established in the State Treasury,
 13 separate and distinct from the General Fund. Interest earned by the Oregon Employer Workforce
 14 Training Fund shall be credited to the fund. Moneys in the fund are continuously appropriated to
 15 the *[Higher Education Coordinating Commission]* **Bureau of Labor and Industries** for the purposes
 16 of ORS 660.340.

17 **SECTION 21.** ORS 660.343 is amended to read:

18 660.343. (1) There is created in the *[Higher Education Coordinating Commission]* **Bureau of**
 19 **Labor and Industries** the Oregon National Career Readiness Certification Program to certify the
 20 workplace and college readiness skills of Oregonians and to better prepare Oregonians for continued
 21 education and workforce training, successful employment and career advancement in a demand-
 22 driven, skills-based economy.

23 (2) Program services may be offered through public high schools, community colleges, local and
 24 regional career centers and any other institutions determined to be appropriate by the
 25 *[commission]* **bureau** to residents of Oregon and to employees of businesses located in Oregon.

26 (3) Services provided by the program shall include, but are not limited to:

27 (a) An assessment process that identifies the proficiency level of program participants in work-
 28 ready skills including, but not limited to, reading, applied mathematics, locating information and any
 29 additional skills determined by the *[commission]* **bureau** to be necessary to meet business and in-
 30 dustry skill demands;

31 (b) Targeted instruction and remedial skills training to provide work-ready skills in which pro-
 32 gram participants are not proficient, as determined by the assessment process described in para-
 33 graph (a) of this subsection, and that have been identified by the *[commission]* **bureau** as work-ready
 34 skills required by local employers;

35 (c) Issuance of a National Career Readiness Certificate to program participants who demon-
 36 strate proficiency in work-ready skills, as determined by the assessment process described in para-
 37 graph (a) of this subsection, and who satisfy any other requirements for certification adopted by the
 38 *[commission]* **bureau** by rule;

39 (d) Providing information to school districts, community colleges and community college service
 40 districts about the National Career Readiness Certificate and the assessments, targeted instruction
 41 and remedial skills training available through the program; and

42 (e) An online database that:

43 (A) Serves as the repository for National Career Readiness Certificate attainment data.

44 (B) Provides online access to program data that enables employers to determine the work skill
 45 proficiency level of individual program participants and to locate certified individuals on a statewide

1 or regional basis.

2 (C) Provides individual program participants the opportunity for career exploration, continuing
3 education, job readiness practice and job searches.

4 (D) Provides individual program participants the opportunity to opt out of the database in ac-
5 cordance with rules adopted by the [*commission*] **bureau**.

6 (4) The [*commission*] **bureau**, after consultation with the State Workforce and Talent Develop-
7 ment Board and the Department of Education, shall adopt rules for the implementation and admin-
8 istration of the program created under subsection (1) of this section.

9 (5) By September 1 of each year, school districts, community colleges and community college
10 service districts shall report to the [*commission*] **bureau** the rate of participation in and the total
11 number of students enrolled in the district or community college who utilized the services provided
12 by the program in the most recently concluded school year.

13 (6) The [*commission*] **bureau** shall submit a report on program outcomes and recommendations
14 for improving and funding the program to the appropriate interim legislative committees and to the
15 Governor by December 1 of each year. The report shall include a summary of the information re-
16 quired under subsection (5) of this section.

17 **SECTION 22.** ORS 660.346 is amended to read:

18 660.346. (1)(a) The [*Higher Education Coordinating Commission*] **Bureau of Labor and Indus-**
19 **tries**, in collaboration with the Employment Department and the State Workforce and Talent De-
20 velopment Board, shall develop and implement a demand-driven, skills-based integrated workforce
21 delivery system focused on skills and talent development.

22 (b) The integrated workforce delivery system implemented under paragraph (a) of this subsection
23 must include, and the [*commission*] **bureau** shall maintain, a workforce training inventory of prior-
24 itized occupations.

25 (c) The [*commission*] **bureau** shall prioritize recommendations for the allocation of workforce
26 training resources by the integrated workforce delivery system based on occupational prioritization
27 data developed by the Employment Department.

28 (2) The [*commission*] **bureau** shall adopt rules necessary for the implementation and adminis-
29 tration of the integrated workforce delivery system developed under subsection (1) of this section.

30 **SECTION 23.** ORS 660.349 is amended to read:

31 660.349. (1)(a) There is created in the Office of [*Community Colleges and*] Workforce Develop-
32 ment a program to make grants to pilot projects to promote hands-on experience and education in
33 the fundamentals and core competencies in architecture, construction trades and engineering for
34 high school juniors and seniors.

35 (b) Pilot projects funded by the program created under this subsection shall be based on
36 collaborative efforts between local school districts, community colleges, business organizations and
37 labor organizations that provide participants the opportunity for education and training in skills
38 required to meet the workforce development needs of local, regional and statewide employers.

39 (c) The office may apply for and receive grants and gifts from public and private sources to fund
40 grants provided under this section.

41 (2) The program created under subsection (1) of this section for making grants to pilot projects
42 shall ensure that:

43 (a) Local communities are informed about the availability of the grants;

44 (b) The pilot projects are geographically distributed throughout Oregon;

45 (c) Urban and rural participants have equal opportunity to access quality educational opportu-

1 nities;

2 (d) Representatives of related, ongoing community efforts assist in the implementation of archi-
3 tecture, construction trades and engineering education and training; and

4 (e) The program and timelines are designed to minimize barriers to receiving funds.

5 (3) When considering applications for grants, the program shall give priority to pilot projects
6 that:

7 (a) Provide access for high school juniors and seniors to architecture, construction trades and
8 engineering education and training through the efforts of local and regional career centers and
9 public-private consortia;

10 (b) In combination with other projects receiving funds, contribute to architecture, construction
11 trades and engineering education and training opportunities in every part of the state;

12 (c) Use private and federal funds;

13 (d) Facilitate sharing of resources through public-private partnerships including collaboration
14 among local school districts, community colleges, business organizations and labor organizations;

15 (e) Have a long-term strategic plan and lack only the necessary financial resources;

16 (f) Help students connect education and training with career planning and job opportunities
17 through local and regional career centers implemented under the federal Workforce Innovation and
18 Opportunity Act;

19 (g) Provide articulated secondary and post-secondary education programs that are designed to
20 lead to a degree or industry-specific skills certification; and

21 (h) Establish short-term training programs that meet the immediate needs of local and regional
22 employers.

23 (4)(a) The office shall include in the program created under subsection (1) of this section a pro-
24 cess for the certification of instructors for the program to provide education and practical experi-
25 ence in architecture, construction trades and engineering.

26 (b) The office shall adopt by rule requirements for the certification of instructors described in
27 paragraph (a) of this subsection.

28 (c) Notwithstanding the requirements adopted under paragraph (b) of this subsection, a person
29 qualified to serve as an instructor in a state-recognized apprenticeship program is qualified for cer-
30 tification as an instructor for projects implemented under this section.

31 **SECTION 24.** ORS 660.352 is amended to read:

32 660.352. The Youth Employment Enhancement Fund is established in the State Treasury, sepa-
33 rate and distinct from the General Fund. Moneys in the Youth Employment Enhancement Fund are
34 continuously appropriated to the [*Higher Education Coordinating Commission*] **Bureau of Labor and**
35 **Industries** for the purposes of ORS 660.349.

36 **SECTION 25.** ORS 660.353 is amended to read:

37 660.353. (1) There is created in the [*Higher Education Coordinating Commission*] **Bureau of**
38 **Labor and Industries** the Oregon Youth Employment Program. Subject to the availability of fund-
39 ing, the [*commission*] **bureau** shall create and operate, and local workforce development boards shall
40 manage, the program to provide meaningful work experience and workforce training for persons
41 between the ages of 14 and 24.

42 (2) The program shall provide to participants in the program case management and support
43 services that include, but are not limited to:

44 (a) Developing an individual development plan for the participant that outlines work readiness,
45 career and educational goals;

1 (b) Work readiness instruction;

2 (c) At least 12 weeks of paid internships or other work experience; and

3 (d) Academic support for earning high school graduation credit, completion of approved high
4 school equivalency programs such as the General Educational Development (GED) certificate pro-
5 gram or earning college credit for work experience or internships provided through the program.

6 (3) The program:

7 (a) Plan, implementation procedures and evaluation criteria shall be described in the local plan
8 developed by a local workforce development board under ORS 660.327.

9 (b) May provide for public and private sector employment opportunities.

10 (4) Local workforce development boards responsible for managing the program shall ensure ap-
11 propriate training and positive work experiences for participants.

12 (5) The *[commission]* **bureau** shall collaborate with the local workforce development boards to
13 collect data on youth work experience programs that identify successful work experiences and allow
14 for the identification and dissemination of the most promising practices. The data collected shall
15 also include the number of participants in the program, the number of participants that complete the
16 program, the cost of internships and other work experiences provided, the academic credit earned
17 by participants and the number of certificates for passing approved high school equivalency tests
18 such as the General Educational Development (GED) test earned by participants.

19 (6) The *[commission]* **bureau** shall adopt rules necessary for the implementation and operation
20 of the program created under subsection (1) of this section. The rules shall include, but are not
21 limited to, establishing eligibility criteria for persons participating in the program.

22 **SECTION 26.** ORS 660.354 is amended to read:

23 660.354. The Oregon Youth Employment Fund is established in the State Treasury, separate and
24 distinct from the General Fund. Interest earned by the Oregon Youth Employment Fund shall be
25 credited to the fund. Moneys in the fund are continuously appropriated to the *[Higher Education*
26 *Coordinating Commission]* **Bureau of Labor and Industries** for the purposes of ORS 660.353.

27
28 **RENAMING OFFICE OF COMMUNITY COLLEGES AND WORKFORCE DEVELOPMENT**

29
30 **SECTION 27.** (1) The amendments to ORS 294.393, 294.456, 341.005, 341.019, 341.021,
31 341.039, 341.102, 341.105, 341.440, 341.446, 341.455, 341.487, 341.526, 341.551, 341.626, 341.655,
32 341.665, 341.670, 344.070, 344.080, 344.090, 344.125, 350.150, 350.155, 350.160, 350.170, 350.175,
33 353.606, 408.506, 413.600, 417.799, 421.084 and 576.871 by sections 14 and 30 to 61 of this 2021
34 Act are intended to change the name of the “Office of Community Colleges and Workforce
35 Development” to the “Office of Community Colleges.”

36 (2) For the purpose of harmonizing and clarifying statutory law, the Legislative Counsel
37 may substitute for words designating the “Office of Community Colleges and Workforce De-
38 velopment,” wherever they occur in statutory law, other words designating the “Office of
39 Community Colleges.”

40 **SECTION 28.** (1) The amendments to ORS 350.155 by section 31 of this 2021 Act are in-
41 tended to change the name of the “Office of Community Colleges and Workforce Develop-
42 ment Account” to the “Office of Community Colleges Account.”

43 (2) For the purpose of harmonizing and clarifying statutory law, the Legislative Counsel
44 may substitute for words designating the “Office of Community Colleges and Workforce De-
45 velopment Account,” wherever they occur in statutory law, other words designating the

1 **“Office of Community Colleges Account.”**

2 **SECTION 29.** ORS 350.095 is amended to read:

3 350.095. (1) The Higher Education Coordinating Commission is authorized to:

4 (a) Request, as part of the funding request under ORS 350.090, appropriations for budgetary
5 items, including but not limited to education and general operations, statewide public services, state
6 funded debt service, capital improvements, deferred maintenance, special initiatives and investments
7 or any other purpose listed under ORS 350.075 (3)(e); **and**

8 (b) Allocate moneys, from funds appropriated to the commission and other available moneys, to
9 public universities listed in ORS 352.002.[: and]

10 *[(c) Request, as part of the funding request relating to duties authorized under ORS 660.300 to*
11 *660.364, appropriations for budgetary items, including but not limited to workforce development and*
12 *coordination of the state workforce development system.]*

13 (2) The commission shall certify to the Legislative Assembly, in any funding request pursuant
14 to subsection (1)(a) of this section for state bonds under Article XI-F(1) of the Oregon Constitution
15 for the benefit of a public university listed in ORS 352.002, its evaluation of the revenue sufficiency,
16 as defined in ORS 286A.830, of the public university that will receive the proceeds of any Article
17 XI-F(1) bonds approved by the Legislative Assembly.

18 **SECTION 30.** ORS 350.150 is amended to read:

19 350.150. (1) The Office of Community Colleges [*and Workforce Development*] is established within
20 the Higher Education Coordinating Commission. The office shall function under the direction and
21 control of the commission, with the Director of the Office of Community Colleges [*and Workforce*
22 *Development*] serving as an administrative officer for community college matters.

23 (2) [*Except as provided in subsection (3) of this section,*] The commission may adopt any rules
24 necessary for the effective and efficient administration of the office or for the administration of laws
25 that the office is charged with administering.

26 *[(3) The commission, in consultation with the State Workforce and Talent Development Board,*
27 *workforce partners and the Education and Workforce Policy Advisor and pursuant to ORS chapter*
28 *183, may adopt any rules necessary for the administration of laws related to the federal Workforce*
29 *Innovation and Opportunity Act that the commission is charged with administering.]*

30 **SECTION 31.** ORS 350.155 is amended to read:

31 350.155. (1) The Office of Community Colleges [*and Workforce Development*] Account is estab-
32 lished in the State Treasury, separate and distinct from the General Fund. Except for moneys oth-
33 erwise designated by statute, all fees, assessments and other moneys received by the Office of
34 Community Colleges [*and Workforce Development*] shall be deposited into the State Treasury and
35 credited to the account. All moneys in the account are continuously appropriated to the Higher
36 Education Coordinating Commission for purposes authorized by law.

37 (2) The office may accept gifts, grants and donations from any source to carry out the duties
38 imposed upon the office. Moneys received under this subsection shall be paid into the account.

39 (3) The office shall keep a record of all moneys deposited into the account. The record shall
40 indicate by separate cumulative subaccounts the sources from which the moneys are derived and the
41 individual activity or program against which each withdrawal is charged.

42 (4) Disbursements from the account shall be made as directed by the Higher Education Coordi-
43 nating Commission.

44 **SECTION 32.** ORS 350.160 is amended to read:

45 350.160. (1) The executive director of the Higher Education Coordinating Commission shall ap-

1 point a Director of the Office of Community Colleges [*and Workforce Development*] who shall serve
 2 at the pleasure of the executive director.

3 (2) The director shall be a person who by training and experience is well qualified to perform
 4 the duties of the office and to assist in carrying out the functions of the Higher Education Coordinating
 5 Commission under this section and ORS 341.015, 341.440, 341.455, 341.626, 341.655 and 341.933.

6 (3) The director shall:

7 (a) Be the executive head of the Office of Community Colleges [*and Workforce Development*].

8 (b) Direct and supervise all activities of the Office of Community Colleges [*and Workforce De-*
 9 *velopment*].

10 (c) Hire staff, as authorized by the executive director of the Higher Education Coordinating
 11 Commission to assist in carrying out the duties of the director. The staff shall be considered em-
 12 ployees of the Office of Community Colleges [*and Workforce Development*] for purposes of ORS
 13 chapters 240 and 243.

14 (d) Be responsible directly to the executive director of the Higher Education Coordinating
 15 Commission for those duties enumerated in ORS chapter 341.

16 (4) The director, with approval of the executive director of the Higher Education Coordinating
 17 Commission, shall be responsible for the representation of community college interests to the Gov-
 18 ernor, the Legislative Assembly, state agencies and others.

19 (5) The executive director of the Higher Education Coordinating Commission shall be responsi-
 20 ble for submitting community college budget requests for the Office of Community Colleges [*and*
 21 *Workforce Development*] to the Legislative Assembly. The Higher Education Coordinating Commis-
 22 sion shall ensure that the budget request for community colleges and for the Office of Community
 23 Colleges [*and Workforce Development*] are separate and distinct from the commission's other requests
 24 to the Legislative Assembly.

25 **SECTION 33.** ORS 350.170 is amended to read:

26 350.170. (1) The Higher Education Coordinating Commission shall establish by rule a process for
 27 making grants or loans to public-private partnerships to provide advanced technology education and
 28 training opportunities. The purpose of the grants and loans is to support the development and im-
 29 plementation of public-private partnerships to provide advanced technology education and training
 30 opportunities in all business and industry sectors for individuals in communities throughout Oregon.
 31 The partnerships shall be between public and private entities and may include joint ventures among
 32 business and industry, school districts, education service districts, eligible post-secondary insti-
 33 tutions as defined in ORS 348.180 and public bodies as defined in ORS 174.109.

34 (2) A public-private partnership that receives a grant or loan under this section must provide
 35 advanced technology education and training opportunities that:

36 (a) Address current and future workforce development needs dictated by Oregon's rapidly
 37 changing economy;

38 (b) Facilitate sustainable and dynamic economic development in communities by creating flexible
 39 opportunities for workforce development;

40 (c) Establish results oriented, collaborative investments of public and private resources in com-
 41 munities throughout Oregon;

42 (d) Ensure that Oregon's capacity for economic growth and vitality is not limited by a lack of
 43 opportunities for workforce development; and

44 (e) Provide support to existing community efforts to establish innovative strategies for delivering
 45 advanced technology education and training.

- 1 (3) The process established by the commission for making grants and loans shall ensure that:
- 2 (a) Local communities are informed about the availability of the grants and loans;
- 3 (b) Advanced technology education and training projects are geographically distributed
- 4 throughout Oregon;
- 5 (c) There is equal opportunity for urban and rural access to quality education and training op-
- 6 portunities;
- 7 (d) Representatives of related, ongoing community efforts assist in the implementation of ad-
- 8 vanced technology education and training projects; and
- 9 (e) Procedures and timelines are designed to minimize barriers to receiving funds.
- 10 (4) When considering applications for grants and loans, the Office of Community Colleges [*and*
- 11 *Workforce Development*] shall give priority to advanced technology education and training projects
- 12 that:
- 13 (a) Provide or increase access for individuals to advanced technology education and training
- 14 through the efforts of local and regional career centers and partnerships and distance education
- 15 technology available locally and regionally;
- 16 (b) In combination with other projects receiving funds, contribute to advanced technology edu-
- 17 cation and training opportunities in every part of the state;
- 18 (c) Use federal funds;
- 19 (d) Have widespread community support as evidenced by a memorandum of agreement or similar
- 20 documentation;
- 21 (e) Represent an effective sharing of resources through public-private partnerships among busi-
- 22 ness and industry, school districts, education service districts, eligible post-secondary institutions
- 23 as defined in ORS 348.180 and public bodies as defined in ORS 174.109;
- 24 (f) Have a long-term strategic plan and lack only the necessary financial resources;
- 25 (g) Provide state-of-the-art technology that meets current standards of business and industry and
- 26 addresses local and regional economic development priorities;
- 27 (h) Help individuals connect education and training with career planning and job opportunities
- 28 through local and regional career centers as implemented under the federal Workforce Innovation
- 29 and Opportunity Act;
- 30 (i) Provide articulated education programs that lead to a degree or an industry-specific skills
- 31 certification; and
- 32 (j) Establish short-term training programs that meet the immediate needs of local employers in
- 33 their communities.
- 34 (5)(a) A public-private partnership awarded a grant or loan under this section shall use the grant
- 35 or loan for any of the following:
- 36 (A) Infrastructure construction or reconstruction.
- 37 (B) Equipment or technology purchases.
- 38 (C) Curriculum development.
- 39 (D) Expansion or revision of a current project to increase the capacity of the project, alter the
- 40 project plan, change the members of the partnership or address education or employment deficien-
- 41 cies in the community served by the public-private partnership.
- 42 (b) A grant or loan awarded under this section for the purpose described in paragraph (a)(D)
- 43 of this subsection may not exceed \$25,000.
- 44 (6) The application for a grant or loan under this section shall include:
- 45 (a) The names of the members of the public-private partnership;

- 1 (b) A description of standards used to assess the performance of the project;
- 2 (c) An estimate of the number of individuals who will be served by the project;
- 3 (d) The name of the fiscal agent of the public-private partnership;
- 4 (e) A project plan covering at least the first two years after receipt of a grant or loan; and
- 5 (f) The name of the person who will be responsible for convening the public-private partnership
- 6 on a regular basis.

7 (7) The commission may accept contributions of funds and assistance from the United States
 8 Government or its agencies or from any other source, public or private, and agree to conditions
 9 placed on the funds not inconsistent with the purposes of this section.

10 (8) Any moneys received by the commission through repayment of a loan awarded under this
 11 section, or received by the commission under subsection (7) of this section, shall be deposited by the
 12 commission in the Advanced Technology Education and Training Fund established under ORS
 13 350.165.

14 **SECTION 34.** ORS 350.175 is amended to read:

15 350.175. (1) The Director of the Office of Community Colleges [*and Workforce Development*] may
 16 issue certificates for passing approved high school equivalency tests such as the General Educa-
 17 tional Development (GED) test to persons who demonstrate satisfactory performance in tests pre-
 18 scribed under subsection (2) of this section or meet the requirements of any prescribed evaluative
 19 procedure.

20 (2) The Higher Education Coordinating Commission by rule may prescribe tests and other ap-
 21 propriate evaluation procedures for the purposes of subsection (1) of this section and may establish
 22 age, residence and other relevant qualifications for applicants.

23 (3) The Office of Community Colleges [*and Workforce Development*] may utilize its personnel and
 24 facilities for the administration of this section, and the commission may establish by rule a
 25 nonrefundable application fee. The fee may be waived by the commission in case of hardship.

26 (4) Subject to prior approval of the Oregon Department of Administrative Services and a report
 27 to the Emergency Board prior to adopting the fee, the fee established under subsection (3) of this
 28 section shall not exceed the cost of administering the program, as authorized by the Legislative
 29 Assembly within the office's budget, as the budget may be modified by the Emergency Board.

30 (5) All moneys received under this section shall be deposited in the State Treasury to the credit
 31 of the Office of Community Colleges [*and Workforce Development*] and shall be used exclusively for
 32 administration of this section. The Office of Community Colleges [*and Workforce Development*] shall
 33 keep a record of all moneys deposited in such account. The record shall indicate by separate cu-
 34 mulative accounts the source from which the moneys are derived and the individual activity against
 35 which each withdrawal is charged.

36 (6) The Director of the Office of Community Colleges [*and Workforce Development*] shall consult
 37 with the Superintendent of Public Instruction on all matters related to evaluation procedures used
 38 to measure equivalent achievement under this section. The superintendent is authorized to make
 39 independent recommendations on evaluation procedures to the office in those cases where the
 40 superintendent's judgment differs from that of the director.

41 **SECTION 35.** ORS 294.393 is amended to read:

42 294.393. (1) Each school district and each education service district shall prepare the estimates
 43 of expenditures required under ORS 294.388 in accordance with the classification of revenue and
 44 expenditure accounts prescribed by the Department of Education in consultation with the Depart-
 45 ment of Revenue. The Department of Revenue is responsible for determining the district's compli-

1 ance with this subsection.

2 (2) Each community college district shall prepare the estimates of expenditures required under
 3 ORS 294.388 in accordance with the classification of revenue and expenditure accounts prescribed
 4 by the Office of Community Colleges [*and Workforce Development*] in consultation with the Depart-
 5 ment of Revenue. The Department of Revenue is responsible for determining the district's compli-
 6 ance with this subsection.

7 (3) Notwithstanding ORS 294.388 (2), each municipal corporation that operates a public utility
 8 or hospital shall prepare estimates for the operations of each public utility or hospital in accordance
 9 with:

10 (a) The applicable generally accepted system of accounts for the operations; or

11 (b) The general system of accounts in ORS 294.305 to 294.565.

12 **SECTION 36.** ORS 294.456 is amended to read:

13 294.456. (1)(a) After the public hearing required under ORS 294.453 (1) and consideration of
 14 matters discussed at the public hearing, the governing body of a municipal corporation shall enact
 15 the ordinances or resolutions necessary to adopt the budget, to make the appropriations, to deter-
 16 mine, make and declare the ad valorem property tax amount or rate to be certified to the assessor
 17 for either the ensuing year or each of the years of the ensuing budget period and to itemize and
 18 categorize the ad valorem property tax amount or rate as required under ORS 310.060.

19 (b) The governing body may amend the budget estimates and proposed ad valorem property tax
 20 amount or rate in the budget document before adoption under paragraph (a) of this subsection and
 21 after adoption if the post-adoption amendments are adopted prior to the commencement of the fiscal
 22 year or budget period to which the budget relates.

23 (c) Notwithstanding paragraph (b) of this subsection, unless the amended budget document is
 24 republished pursuant to ORS 294.438 or 294.448 in the same manner as the original budget and an-
 25 other public hearing is held pursuant to ORS 294.453 (1), or except to the extent ad valorem prop-
 26 erty taxes may be increased under ORS 294.476:

27 (A) The amount of estimated expenditures for each fund in an annual budget may not be in-
 28 creased by more than \$5,000 or 10 percent of the estimated expenditures, whichever is greater;

29 (B) The amount of estimated expenditures for each fund in a biennial budget may not be in-
 30 creased by more than \$10,000 or 10 percent of the estimated expenditures, whichever is greater; and

31 (C) The amount or rate of the total ad valorem property taxes to be certified by the municipal
 32 corporation to the assessor may not exceed the amount approved by the budget committee.

33 (2)(a) After a public hearing under ORS 294.453 (2) or (3), receipt of the certification of the tax
 34 supervising and conservation commission, if required, and consideration of any orders, recommen-
 35 dations or objections made by the tax supervising and conservation commission in accordance with
 36 law, the governing body of a municipal corporation shall enact the ordinances or resolutions nec-
 37 essary to adopt the budget, to make the appropriations, to determine, make and declare the ad
 38 valorem property tax amount or rate for either the ensuing fiscal year or each of the fiscal years
 39 of the ensuing budget period and to itemize and categorize the ad valorem property tax amount or
 40 rate as required under ORS 310.060.

41 (b) The action taken by the governing body under paragraph (a) of this subsection on each order,
 42 recommendation or objection made by the commission, with the reasons for the action, must be in-
 43 cluded in the ordinance or resolution adopting the budget.

44 (c) The governing body shall send a certified copy of the ordinance or resolution to the com-
 45 mission within 15 days after the date the ordinance or resolution is adopted.

1 (d) The governing body may amend the budget estimates, appropriations and ad valorem prop-
2 erty tax amount or rate in the budget document before adoption under paragraph (a) of this sub-
3 section and after adoption if the post-adoption amendments are adopted prior to the commencement
4 of the fiscal year or budget period to which the budget relates.

5 (e) Notwithstanding paragraph (d) of this subsection, unless the amended budget document is
6 resubmitted to the tax supervising and conservation commission for another public hearing and for
7 recommendations or objections of the commission, or except to the extent ad valorem property taxes
8 may be increased under ORS 294.476:

9 (A) The amount of estimated expenditures for each fund in an annual budget may not be in-
10 creased by more than \$5,000 or 10 percent of the estimated expenditures, whichever is greater;

11 (B) The amount of estimated expenditures for each fund in a biennial budget may not be in-
12 creased by more than \$10,000 or 10 percent of the estimated expenditures, whichever is greater; and

13 (C) The amount or rate of the total ad valorem property taxes to be certified by the municipal
14 corporation to the assessor may not exceed the amount approved by the budget committee.

15 (3)(a) Except as provided in subsections (4) and (5) of this section, the appropriations required
16 under subsections (1) and (2) of this section must contain:

17 (A) One amount for each organizational unit or program of each fund that is the total of all
18 amounts for personnel services, materials and services and capital outlay attributable to the organ-
19 izational unit or program; and

20 (B) Separate amounts in each fund for operating expenses for personnel services, materials and
21 services and capital outlay that cannot be allocated to a particular organizational unit or program
22 and for debt service, special payments, interfund revenue transfers and operating contingencies.

23 (b) Separate amounts for activities within an organizational unit or program may be appropri-
24 ated separately.

25 (c) For a municipal corporation to which the terms "organizational unit" and "program" do not
26 apply, the appropriations must contain separate amounts for personnel services, materials and ser-
27 vices, capital outlay, debt service, special payments, interfund revenue transfers and operating con-
28 tingencies for each fund.

29 (4) For a school district or an education service district, the appropriations required under
30 subsections (1) and (2) of this section must contain separate amounts in each major fund for each
31 major function, as prescribed by the Department of Education in consultation with the Department
32 of Revenue, including instruction, support services, enterprise and community services, facilities
33 acquisition and construction, interfund revenue transfers, debt service and operating contingencies.

34 (5) For a community college district, the appropriations required under subsections (1) and (2)
35 of this section must contain separate amounts in each fund for:

36 (a) Each major function, as prescribed by the Office of Community Colleges [*and Workforce De-*
37 *velopment*] in consultation with the Department of Revenue, including instruction, instructional
38 support, student services, community services, college support services, interfund transfers, debt
39 service and operating contingencies;

40 (b) Each major function as required under subsection (4) of this section; or

41 (c) Each organizational unit or program and each object classification required under subsection
42 (3) of this section.

43 (6) Except as provided in ORS 294.338, 294.463, 294.466, 294.471, 294.473 and 294.478, after the
44 governing body has enacted the ordinances or resolutions necessary to adopt the budget as required
45 under this section, an expenditure, or encumbrance if encumbrance accounting is used, of public

1 money may not be made for any purpose in an amount greater than the amount appropriated.

2 (7) The governing body of a municipal corporation shall record the amount or rate of ad valorem
3 property taxes to be certified and the purposes for which the taxes will be used. Except as provided
4 in ORS 294.476, the municipal corporation may not certify ad valorem property taxes in an amount
5 or rate greater than the amount or rate recorded for the purposes indicated.

6 (8)(a) The governing body of a municipal corporation shall determine, make and declare ad
7 valorem property taxes under subsections (1) and (2) of this section as a rate per \$1,000 of assessed
8 value if the taxes are operating taxes as defined in ORS 310.055 (1) or rate-based local option taxes.

9 (b) The governing body shall determine, make and declare ad valorem property taxes under
10 subsections (1) and (2) of this section as an amount if the taxes are certified as amount-based local
11 option taxes, to pay principal and interest on exempt bonded indebtedness or to pay other govern-
12 ment obligations described in Article XI, section 11 (5), of the Oregon Constitution.

13 (c) Notwithstanding paragraph (a) of this subsection, the governing body may certify operating
14 taxes as defined in ORS 310.055 (1) as a rate or an amount if less than the full authority is needed
15 to balance the fund that will receive the taxes.

16 **SECTION 37.** ORS 341.005 is amended to read:

17 341.005. As used in this chapter, unless the context otherwise requires:

18 (1) "Academic year" means the year beginning July 1 of each year and ending June 30 of the
19 following year running concurrently with the fiscal year.

20 (2) "Board" means the board of education of a community college district.

21 (3) "Board member" means a member of the board of education of a community college district.

22 (4)(a) Except as provided in paragraph (b) of this subsection, "community college" means a
23 public institution operated by a community college district for the purposes of providing courses of
24 study limited to not more than two years' full-time attendance and designed to meet the needs of a
25 geographical area by providing educational services, including but not limited to career and tech-
26 nical education programs or lower division collegiate programs.

27 (b) The two-year limitation described in paragraph (a) of this subsection does not apply to:

28 (A) Technical programs in which the curriculum may require more than two years of attendance
29 but less than four years; or

30 (B) Applied baccalaureate degree programs approved under ORS 341.013.

31 (5) "Community college district" or "district" means a district formed under this chapter to op-
32 erate one or more community colleges or to secure educational services available at a community
33 college. "Community college district" includes a community college service district.

34 (6) "Director" means the Director of the Office of Community Colleges [*and Workforce Develop-*
35 *ment*] appointed under ORS 350.160 by the executive director of the Higher Education Coordinating
36 Commission.

37 (7) "Full-time equivalent student" means a student or combination of several students who car-
38 ries or carry among them, within a single academic year, a minimum number of clock hours of in-
39 struction, in any program, to be specified by rule by the Higher Education Coordinating Commission.

40 (8) "Paying agent and registrar" means the county treasurer or county fiscal officer of the
41 county in which the chief administrative officer of the community college district maintains the ad-
42 ministrative office.

43 (9) "Petitioning territory" means a community college district petitioning to have an area out-
44 side the district included in the district or to have an area inside the district excluded from the
45 district, or an area outside the district petitioning to be included within the district.

1 (10) "Principal county" means the county in which the chief administrative officer of the com-
 2 munity college district maintains the administrative office.

3 **SECTION 38.** ORS 341.019 is amended to read:

4 341.019. (1) All areas within this state shall be served by a community college district. Such
 5 services may be provided either:

6 (a) Directly by formation of a community college district; or

7 (b) Indirectly by contract with an existing community college district.

8 (2) The Office of Community Colleges [*and Workforce Development*] shall fix responsibility for
 9 serving each area that is not within a community college district. Where feasible, each area shall
 10 be a whole county or a group of counties or that part of a county not already in a community col-
 11 lege district.

12 (3) In order to obtain the services described in subsection (1)(b) of this section, residents of a
 13 nondistrict area must indicate their interest in receiving services by requesting formation of a local
 14 advisory committee and seeking the advice and counsel of the Office of Community Colleges [*and*
 15 *Workforce Development*].

16 (4) The Higher Education Coordinating Commission by rule shall establish standards for the
 17 Office of Community Colleges [*and Workforce Development*] to use determining when there is suffi-
 18 cient interest among the residents of a nondistrict area to warrant appointment of a local advisory
 19 committee.

20 (5) When the Office of Community Colleges [*and Workforce Development*] has made the determi-
 21 nation under subsection (4) of this section, the office and the interested residents of the nondistrict
 22 area shall apply jointly to the governing body of the county for the appointment of a local advisory
 23 committee.

24 (6) Upon application, the governing body of the county shall appoint a local advisory committee
 25 and shall ensure that the committee is broadly representative of the nondistrict area.

26 (7) If the nondistrict area involves two or more counties, the governing body of each county
 27 shall appoint members to the local advisory committee in proportion to the number of county resi-
 28 dents within the nondistrict area.

29 (8) The governing body of a county making appointments under subsection (6) or (7) of this
 30 section shall not be obligated to fund any part of the budget described in ORS 341.021 (3).

31 (9) The duties of the local advisory committee shall include, but need not be limited to, advising
 32 the officials of the community college district serving the nondistrict area on the educational needs
 33 of the area.

34 (10) As used in ORS 341.019 to 341.022, "community college district" includes a community col-
 35 lege service district.

36 **SECTION 39.** ORS 341.021 is amended to read:

37 341.021. (1) The Office of Community Colleges [*and Workforce Development*] shall invite existing
 38 community college districts to submit proposals for the provision of service to an area that has of-
 39 ficially indicated its interest in receiving service.

40 (2) The responsibilities of the host community college district shall include:

41 (a) Preparing a written agreement for services to be provided to nondistrict areas using a format
 42 specified by the office; and

43 (b) Acting as the fiscal agent for agreements including establishing tuition and fees for services
 44 offered under terms of an agreement.

45 (3) Agreements between the community college district and nondistrict entities as listed in ORS

1 341.315 shall include an annual budget setting forth both revenue and expenditures. The budget shall
2 be based upon the following conditions:

3 (a) Subject to ORS 341.022, eligible full-time equivalent student enrollment produced under the
4 agreement may be claimed for state reimbursement purposes by the community college district.
5 Such reimbursement shall come from the Community College Support Fund established in ORS
6 341.620 and shall be distributed as directed in ORS 341.626 and the rules of the Higher Education
7 Coordinating Commission.

8 (b) A share of the budget shall be provided by those individuals or agencies receiving service
9 under this agreement as specified by rule of the commission adopted under ORS 341.024 (3).

10 (4) Agreements developed under this section shall be wholly supported by Community College
11 Support Fund reimbursement, nondistrict student tuition and nondistrict resources.

12 **SECTION 40.** ORS 341.039 is amended to read:

13 341.039. (1) A petition submitted pursuant to ORS 341.025 may specify that the proposed district
14 be organized as a community college service district. The formation of a community college service
15 district shall comply with the provisions of ORS 341.025 to 341.125. A petition affecting a territory
16 that, in the judgment of the Director of the Office of Community Colleges [*and Workforce Develop-*
17 *ment*], will not generate an annual enrollment in excess of 1,000 full-time equivalent students after
18 three years of operation shall be considered to be a petition for the formation of a community col-
19 lege service district.

20 (2) If formed, a community college service district shall in all respects be governed by the laws
21 applicable to community college districts with the following exceptions:

22 (a) Notwithstanding ORS 341.675, community college service districts formed on or after July
23 1, 1997, may not incur bonded indebtedness for any purpose. This limitation shall not be construed
24 to prohibit lease-purchase arrangements or other lawful forms of capital financing. A community
25 college service district may hold and own buildings and grounds acquired through gifts or financing
26 methods authorized by this section.

27 (b) The board of education for a community college service district shall annually review the
28 programs and services of the service district. This review shall have as its purpose a determination
29 of which services can most effectively and economically be delivered directly and which services can
30 best be delivered through contracting arrangements. The direct hiring of faculty and staff is ex-
31 pressly permitted.

32 (3) After having been in operation for at least three years, a community college service district
33 may submit to the electors of the district the question of whether the district shall operate as a
34 community college district.

35 (4) Prior to submitting the question to the electors, the community college service district must
36 have been in operation for three years, and must have secured the approval of the Higher Education
37 Coordinating Commission to hold the election. Before granting approval, the commission must find:

38 (a) The service district has acquired stability as demonstrated by a continuity of management,
39 regularly adopted policies and procedures and adequate financial resources; and

40 (b) The service district has adopted a sound comprehensive plan that sets out the district's in-
41 structional and capital plans for five years.

42 **SECTION 41.** ORS 341.102 is amended to read:

43 341.102. If the Legislative Assembly approves the recommendation submitted under ORS 341.076,
44 341.565 or 341.579, the Legislative Assembly shall appropriate to the Higher Education Coordinating
45 Commission for the purpose of allocation to the Office of Community Colleges [*and Workforce De-*

1 *velopment*] moneys necessary to pay the expenses of the election under ORS 341.085, 341.565, 341.569
2 or 341.579 (1) if the election is to occur within 24 months of the appropriation or allocation. If the
3 election does not occur within the biennium immediately following the appropriation or allocation,
4 the question shall be brought before the next Legislative Assembly. The state shall fund the election
5 without regard to the outcome of the election.

6 **SECTION 42.** ORS 341.105 is amended to read:

7 341.105. When at the request of the Higher Education Coordinating Commission the county clerk
8 of the principal county, in consultation with county clerks of the affected counties, prepares a list
9 or lists of names and addresses of the electors registered in the proposed district, the Office of
10 Community Colleges [*and Workforce Development*] is authorized to pay the charge as determined
11 under ORS 255.305.

12 **SECTION 43.** ORS 341.440 is amended to read:

13 341.440. (1) A community college district may contract with another community college district,
14 a common or union high school district, an education service district, a public university listed in
15 ORS 352.002, the Oregon Health and Science University, a private educational institution accredited
16 by the Northwest Commission on Colleges and Universities or its successor or a career school as
17 defined in ORS 345.010 to obtain educational services for students enrolled in the community college
18 of the district. However, the educational services so obtained must meet the standards for educa-
19 tional services provided by the college and the contract price to the college for such services must
20 not exceed the costs that would otherwise be incurred by the college to provide its students the
21 same or similar services.

22 (2) Educational services for which a district operating a community college may contract include
23 services offered by correspondence and services offered electronically or through telecommuni-
24 cations if such services are accredited by a nationally recognized accrediting association.

25 (3) For purposes of ORS 341.626, costs incurred under subsection (1) of this section shall be
26 considered operating expenses of the district if the contract is approved by the Director of the Of-
27 fice of Community Colleges [*and Workforce Development*].

28 **SECTION 44.** ORS 341.446 is amended to read:

29 341.446. (1) At the beginning of each school year, the Office of Community Colleges [*and*
30 *Workforce Development*] shall make the following information available for distribution to public
31 school students who are in grades 11 and 12:

32 (a) The academic programs and services provided by community colleges;

33 (b) Recommendations for successful completion of community college programs; and

34 (c) Any other information identified by the office as being necessary to assist students in pre-
35 paring to succeed in community colleges.

36 (2) Representatives of the State Board of Education and the Higher Education Coordinating
37 Commission shall regularly meet for the purpose of improving coordination between public second-
38 ary schools and community colleges.

39 **SECTION 45.** ORS 341.455 is amended to read:

40 341.455. (1) A community college may give credit for courses or programs taken in a career
41 school. The courses or programs for which credit may be given must meet the standards adopted
42 by the Higher Education Coordinating Commission under ORS 345.325, must be taken at a career
43 school domiciled in this state and must be approved for credit by the Director of the Office of
44 Community Colleges [*and Workforce Development*].

45 (2) A community college board may charge a transcripting fee to a student for courses taken

1 at a career school and accepted by the community college under subsection (1) of this section. Such
2 a fee is to be set by the board and is to be consistent with other student fees.

3 (3) Time spent by students on such courses shall not be considered as clock hours of instruction
4 in determining full-time equivalency for purposes of ORS 341.626.

5 **SECTION 46.** ORS 341.487 is amended to read:

6 341.487. (1) Community colleges in Oregon shall admit students from other states at the same
7 tuition rate assessed against Oregon residents who are residents of the community college district
8 if:

9 (a) The state in which the student resides agrees to pay and pays its per capita state aid for
10 comparable students in the state to the community college;

11 (b) The state in which the students reside agrees to permit and permits one-for-one full-time
12 enrollment exchange arrangements that allow an equal number of Oregon residents to be admitted
13 to community colleges or comparable institutions in the state at the same tuition rate assessed
14 against residents of the state and community colleges or comparable institutions in the state in
15 which the students reside agree to admit and admit approved Oregon residents without assessing
16 nonresident tuition; or

17 (c) The board of the community college determines out-of-state residents are essential to pro-
18 viding the critical mass to offer programs that would otherwise be unavailable to Oregon residents.

19 (2) The Higher Education Coordinating Commission shall enter into agreements with such other
20 states as are willing to agree to the provisions of this section to establish reimbursement procedures
21 or one-for-one exchange procedures.

22 (3) In cases described in subsection (1)(a) of this section, the Office of Community Colleges [*and*
23 *Workforce Development*] shall pay from funds available therefor to the state that agrees to pay and
24 does pay its per capita state aid to eligible Oregon community colleges to the credit of the commu-
25 nity college or comparable institution educating the Oregon resident an amount equal to the amount
26 that would be available under ORS 341.626 if the Oregon resident were enrolled in a community
27 college in this state. From these same funds, the Office of Community Colleges [*and Workforce De-*
28 *velopment*] shall pay to the Oregon community colleges admitting approved one-for-one exchange
29 students as provided by subsection (1)(b) of this section, from other states, an amount equal to the
30 amount that would be available under ORS 341.626 as if the enrolled one-for-one students were
31 Oregon residents. The Office of Community Colleges [*and Workforce Development*] shall not reim-
32 burse Oregon community colleges that admit students from other states under subsection (1)(c) of
33 this section.

34 (4) If a state that has entered into the agreement to pay the per capita state aid to eligible
35 Oregon community colleges as described in subsections (1) and (2) of this section does not make any
36 payment agreed to, the agreement terminates after the affected community college notifies the
37 Higher Education Coordinating Commission of the lack of payment. The termination is effective 30
38 days after the commission notifies the appropriate agency of the other state that the agreement is
39 terminated if no payment is received by the end of the academic period for which tuition is assessed
40 and no payment is received at that time. The agreement may be reinstated by mutual consent of the
41 parties.

42 (5) The Higher Education Coordinating Commission shall adopt rules governing attendance in
43 community colleges or comparable institutions in other states for purposes of the reimbursement
44 authorized under subsections (1) and (2) of this section to ensure that Oregon residents shall not be
45 the object of such reimbursement if they can obtain the same education within the state without

1 undue hardship.

2 **SECTION 47.** ORS 341.526 is amended to read:

3 341.526. (1) The Office of Community Colleges [*and Workforce Development*] and the Higher Ed-
4 ucation Coordinating Commission shall jointly establish a grant program for the purpose of distrib-
5 uting moneys to community colleges, or any foundations of community colleges, to increase the
6 number of underserved, low-income and first-generation college-bound students who enroll in com-
7 munity college and make progress toward a degree or a certificate.

8 (2) Moneys distributed under subsection (1) of this section may be used by a community college,
9 or a foundation of a community college, for services that are designed to increase student enroll-
10 ment, retention and degree and certificate completion, including counseling programs, college initi-
11 atives, advising services and assistance in obtaining financial aid.

12 (3) The Higher Education Coordinating Commission may adopt rules necessary for the adminis-
13 tration of this section, including rules that set standards for awarding grants. The standards shall
14 give priority to community colleges, or foundations of community colleges, that have student en-
15 rollment, retention and degree and certificate completion programs with demonstrated support from
16 the private sector, the community and local government.

17 **SECTION 48.** ORS 341.551 is amended to read:

18 341.551. (1) Notwithstanding any provision of ORS chapter 238 or 238A, the Office of Community
19 Colleges [*and Workforce Development*] may establish and administer an optional retirement plan for
20 administrative employees of community college districts who are eligible for membership in the
21 Public Employees Retirement System. Any community college district may participate in the plan
22 by giving written notice to the office.

23 (2) An administrative employee may make an election to participate in the optional retirement
24 plan if the community college district that employs the employee is participating in the plan. The
25 election must be made in the following manner:

26 (a) An administrative employee who is an active member of the Public Employees Retirement
27 System may make an election to participate in the plan within 180 days after the community college
28 district commences participation in the plan, effective on the first day of the month following the
29 election.

30 (b) An administrative employee who is hired after the community college district commences
31 participation in the plan may make an election to participate in the plan within the first six months
32 of employment, effective on the first day of the month following six full months of employment.

33 (3) An administrative employee who does not elect to participate in the optional retirement plan
34 remains or becomes a member of the Public Employees Retirement System in accordance with ORS
35 chapters 238 and 238A.

36 (4) An administrative employee may elect to participate in the optional retirement plan only if
37 at the time the election becomes effective the employee is not concurrently employed in a position
38 with any participating public employer other than the community college district in a position that
39 entitles the employee to membership in the Public Employees Retirement System. Except as pro-
40 vided in subsection (9) of this section, employees who elect to participate in the optional retirement
41 plan are ineligible for active membership in the Public Employees Retirement System for as long as
42 those employees are employed by a community college district that participates in the plan, whether
43 by reason of employment by the district or any other participating public employer.

44 (5)(a) An administrative employee who elects to participate in the optional retirement plan, who
45 has creditable service under ORS chapter 238 as defined by ORS 238.005 and who is not vested shall

1 be considered by the Public Employees Retirement Board to be a terminated member under the
2 provisions of ORS 238.095 as of the effective date of the election, and the amounts credited to the
3 member accounts of the member established under ORS 238.250, 238.260, 238A.350 and 238A.353 shall
4 be transferred directly to the optional retirement plan by the Public Employees Retirement Board
5 in the manner provided by subsection (6) of this section.

6 (b) An administrative employee who elects to participate in the optional retirement plan, who
7 has creditable service under ORS chapter 238 as defined by ORS 238.005 and who is vested shall
8 be considered to be an inactive member by the Public Employees Retirement Board and shall retain
9 all the rights, privileges and options under ORS chapter 238 unless the employee makes a written
10 request to the Public Employees Retirement Board for a transfer of the amounts credited to the
11 member accounts of the member established under ORS 238.250, 238.260, 238A.350 and 238A.353 to
12 the optional retirement plan. A request for a transfer must be made at the time the member elects
13 to participate in the optional retirement plan. Upon receiving the request, the Public Employees
14 Retirement Board shall transfer all amounts credited to the member accounts of the member estab-
15 lished under ORS 238.250, 238.260, 238A.350 and 238A.353 directly to the optional retirement plan
16 in the manner provided by subsection (6) of this section and shall terminate all rights, privileges and
17 options of the employee under the Public Employees Retirement System.

18 (c) An administrative employee who elects to participate in the optional retirement plan and
19 who is a member of the pension program of the Oregon Public Service Retirement Plan as described
20 in ORS 238A.100 on the date that the election becomes effective, but who has not vested in the
21 program under ORS 238A.115 on the date that the election becomes effective, shall be considered
22 to be a terminated member of the Public Employees Retirement System by the Public Employees
23 Retirement Board as of the effective date of the election. The board shall transfer the amounts
24 credited to the member accounts of the member established under ORS 238A.350 and 238A.353 di-
25 rectly to the optional retirement plan in the manner provided by subsection (6) of this section.

26 (d) An administrative employee who elects to participate in the optional retirement plan and
27 who is a vested member of the pension program of the Oregon Public Service Retirement Plan as
28 described in ORS 238A.115 on the date that the election becomes effective shall be considered an
29 inactive member of the pension program by the Public Employees Retirement Board as of the ef-
30 fective date of the election. A member who is subject to the provisions of this paragraph retains all
31 the rights, privileges and options of an inactive member of the pension program, unless the member
32 makes a written request to the Public Employees Retirement Board for a transfer of the amounts
33 credited to the member accounts of the member established under ORS 238A.350 and 238A.353 to the
34 optional retirement plan. The request must be made at the time the member elects to participate in
35 the optional retirement plan. Upon receiving the request, the Public Employees Retirement Board
36 shall transfer the amounts credited to the member accounts of the member established under ORS
37 238A.350 and 238A.353 directly to the optional retirement plan in the manner provided by subsection
38 (6) of this section and shall terminate the membership of the employee in the Public Employees Re-
39 tirement System.

40 (e) Notwithstanding paragraphs (b) and (d) of this subsection, the Public Employees Retirement
41 Board shall not treat any employee as an inactive member under the provisions of this subsection
42 for the purpose of receiving any benefit under ORS chapter 238 or 238A that requires that the em-
43 ployee be separated from all service with participating public employers and with employers who
44 are treated as part of a participating public employer's controlled group under the federal laws and
45 rules governing the status of the Public Employees Retirement System and the Public Employees

1 Retirement Fund as a qualified governmental retirement plan and trust.

2 (6) Any amounts transferred from the Public Employees Retirement Fund under subsection (5)
3 of this section shall be transferred directly to the optional retirement plan by the Public Employees
4 Retirement Board and shall not be made available to the employee.

5 (7) An employee participating in the optional retirement plan shall contribute monthly an
6 amount equal to the percentage of the employee's salary that the employee would otherwise have
7 contributed as an employee contribution to the Public Employees Retirement System if the employee
8 had not elected to participate in the optional retirement plan.

9 (8) A participating community college district shall contribute monthly to the optional retire-
10 ment plan the percentage of salary for each employee participating in the plan that is equal to the
11 percentage of salary that is required to be made as the employer contribution under ORS 238A.220,
12 less any contributions made by reason of unfunded liabilities. The district may make contributions
13 under this subsection only during periods of time in which the employee would be eligible for
14 membership in the Public Employees Retirement System if the employee had not elected to partic-
15 ipate in the optional retirement plan.

16 (9) An administrative employee who elects to participate in the optional retirement plan may
17 make an election to withdraw from the plan. An employee may make an election under this sub-
18 section only once. Upon withdrawing from the plan:

19 (a) All contributions made to the plan before the effective date of the withdrawal remain cred-
20 ited to the employee;

21 (b) The employee becomes a member of the Public Employees Retirement System under ORS
22 chapter 238A if the member meets all requirements for membership under ORS chapter 238A; and

23 (c) The employee is barred from ever again electing to participate in the optional retirement
24 plan.

25 (10) For the purposes of this section, "administrative employee" means a president, vice presi-
26 dent or dean, or a person holding a position that is the equivalent of a president, vice president or
27 dean.

28 **SECTION 49.** ORS 341.626 is amended to read:

29 341.626. (1) Subject to rules adopted by the Higher Education Coordinating Commission and to
30 ORS 291.232 to 291.260, the Director of the Office of Community Colleges [*and Workforce Develop-*
31 *ment*] shall distribute state aid to each community college district and community college service
32 district.

33 (2) The rules adopted by the commission shall provide:

34 (a) No state aid for hobby and recreation classes;

35 (b) Procedures for proper and accurate record keeping;

36 (c) Procedures that will ensure reasonable year-to-year stability in the delivery of appropriated
37 moneys to the colleges; and

38 (d) Procedures to ensure that the full state appropriation is distributed to the colleges.

39 **SECTION 50.** ORS 341.655 is amended to read:

40 341.655. (1) As used in this section, "approved expenses" means the operating expenses of com-
41 munity college districts for career and technical education programs that have been approved by the
42 Director of the Office of Community Colleges [*and Workforce Development*].

43 (2) Federal moneys received for purposes of reimbursing community college districts for career
44 and technical education programs may be used by the districts to pay approved expenses.

45 **SECTION 51.** ORS 341.665 is amended to read:

1 341.665. (1) The receiving community college shall be awarded funds from the contracted out-
 2 of-district funds allocated to the Office of Community Colleges [*and Workforce Development*] if the
 3 college operates the program under a contract with an apprenticeship training committee and the
 4 contract is approved by the office.

5 (2) A community college district may submit full-time equivalencies generated by apprenticeship
 6 programs to the office for reimbursement from the Community College Support Fund for purposes
 7 of ORS 341.626 but may not submit for reimbursement those full-time equivalencies generated
 8 through contracts under subsection (1) of this section.

9 **SECTION 52.** ORS 341.670 is amended to read:

10 341.670. (1) The community college districts of this state shall use the same system for reporting
 11 finances.

12 (2) The Office of Community Colleges [*and Workforce Development*] shall:

13 (a) Select the system, which may be an existing system; and

14 (b) Provide guidelines for implementation of the system.

15 (3) The system selected by the office shall include uniform identification of:

16 (a) Funds;

17 (b) Revenues by source; and

18 (c) Expenditures by function and object classification, as that term is defined in ORS 294.311.

19 (4) The office shall place data gathered from the system on the website of the office to ensure
 20 timely access to the information by the public.

21 **SECTION 53.** ORS 344.070 is amended to read:

22 344.070. (1) The Oregon Department of Administrative Services may draw warrants upon any
 23 state fund to which federal funds for training or education have been credited, in payment of
 24 vouchers approved by the Superintendent of Public Instruction or the Director of the Office of
 25 Community Colleges [*and Workforce Development*] pursuant to rules of the Higher Education Coor-
 26 dinating Commission, in favor of school districts, education service districts and community college
 27 districts, for such sums, not exceeding \$100,000 for a single district in the aggregate, as the com-
 28 mission, by rule, shall determine. The warrants, upon delivery to the districts, shall constitute ad-
 29 vances from state funds to enable the districts more readily to effectuate the purposes set forth in
 30 any federal law or regulation pertaining to career and technical education or other education or
 31 training sponsored by the federal government.

32 (2) The districts to which moneys are advanced shall be responsible for the full repayment to
 33 the state of all sums advanced. The advances are not within any limitation upon indebtedness pre-
 34 scribed by law for districts. The moneys advanced to districts may not exceed in the aggregate the
 35 moneys to the credit of the state fund from which they are paid, and shall constitute advances to
 36 the recipient district in anticipation of verified vouchers to be supplied therefor. The advances are
 37 to be used as revolving funds for the payment of the costs of career and technical education pro-
 38 grams, including but not limited to job training, skill development and academic programs offered
 39 by youth job development organizations as defined in ORS 344.415. The advances shall be made only
 40 in those cases in which the federal government defrays all or part of the cost of such programs.

41 **SECTION 54.** ORS 344.080 is amended to read:

42 344.080. (1) All reimbursement vouchers for claims paid from the revolving funds described in
 43 ORS 344.070 shall be approved by the Superintendent of Public Instruction or the Director of the
 44 Office of Community Colleges [*and Workforce Development*] pursuant to rules of the Higher Educa-
 45 tion Coordinating Commission. When vouchers are so approved, warrants covering the same shall

1 be drawn by the Oregon Department of Administrative Services, payable from the appropriate fund,
2 and be used to reimburse the revolving funds.

3 (2) The districts receiving the advances shall maintain their accounts and records so as to dis-
4 close at all times the true status of the unpaid vouchers issued for the reimbursement of the funds,
5 the district warrants drawn against the funds advanced and the balances to the credit of the funds.

6 (3) The revolving funds and accounts shall be subject to examination and audit by the state in
7 the manner provided by law for other state funds and accounts. The commission may require an
8 audit of the revolving accounts and shall take proper precautions as to the safety of, and account-
9 ability for, all funds advanced.

10 (4) The commission may require the filing with it of a bond of a corporate surety duly licensed
11 to transact business in this state to ensure the proper handling of and responsibility for any funds
12 advanced. The bond shall be cumulative and supplemental to fidelity insurance coverage already
13 held by the district concerned. The state may have recourse to any and all fidelity bonds of clerks
14 or other financial officers of the district to protect such advances.

15 **SECTION 55.** ORS 344.090 is amended to read:

16 344.090. When it appears to the Superintendent of Public Instruction or the Director of the Of-
17 fice of Community Colleges [*and Workforce Development*] that the training and educational programs
18 for which funds are advanced under ORS 344.070 have been completed, or that the need for the ad-
19 vances or revolving funds no longer exists, or that the sums advanced are not being properly han-
20 dled or accounted for, the superintendent or director may require that all or part of the amounts
21 advanced to any district shall be returned, with any interest earned, to the state funds or accounts
22 from which the amounts originally were withdrawn. Upon receipt of notification from the super-
23 intendent or director that funds advanced are to be returned, the district concerned shall imme-
24 diately repay the same to the State Treasurer, for credit to the proper fund or account. To the
25 extent that funds advanced are so repaid, security or protection theretofore required by the Higher
26 Education Coordinating Commission under ORS 344.080 (4) to ensure the safety of such funds may
27 be released.

28 **SECTION 56.** ORS 344.125 is amended to read:

29 344.125. (1) Representatives from the Department of Education, the Office of Community Col-
30 leges [*and Workforce Development*] and the Bureau of Labor and Industries shall meet at least four
31 times each year for the purpose of promoting collaboration among the agencies on issues related to
32 career and technical education.

33 (2) Issues to be addressed by the agencies shall include the development and implementation of
34 long-term goals that:

35 (a) Ensure that career and technical education programs are available at the public schools of
36 this state and through youth job development organizations as defined in ORS 344.415, are founded
37 on partnerships with business and industry and receive appropriate investments of time, money and
38 other resources.

39 (b) Develop regional centers that establish any appropriate partnerships between public schools,
40 community colleges, public universities, businesses, unions and other entities and that ensure that
41 every student of this state has access to a regional center in person or online.

42 (c) Encourage the establishment of joint high school and community college advisory committees
43 that may include representatives of public schools, community colleges, public universities, busi-
44 nesses and unions to:

45 (A) Make more effective use of resources;

1 (B) Promote articulation and pathways between high school programs and post-secondary school
2 programs;

3 (C) Ensure that current industry workforce needs are considered and that curriculum is kept
4 current with state standards; and

5 (D) Increase opportunities for internships, apprenticeships and other opportunities that may lead
6 to employment in the region.

7 (d) Address academic requirements and regulatory barriers that inhibit successful movement of
8 students in career and technical education from high schools to post-secondary school programs and
9 the workforce.

10 (e) Implement accelerated college credit programs that allow students to move seamlessly from
11 public schools to post-secondary education or training to the workforce.

12 (f) Increase professional development opportunities for teachers and learning opportunities for
13 students through industry mentorships, internships, summer programs, after-school programs and
14 career-based student leadership opportunities.

15 (g) Establish partnerships between public and private entities for the purpose of educating stu-
16 dents, parents, teachers, school advisors, policymakers and the general public about the benefits and
17 opportunities related to career and technical education.

18 (3) The agencies identified in subsection (1) of this section shall make a joint report by Decem-
19 ber 31 of each year to the appropriate legislative committees concerning progress on the develop-
20 ment and implementation of the goals described in subsection (2) of this section and may submit
21 recommendations for legislation that will promote opportunities related to career and technical ed-
22 ucation.

23 **SECTION 57.** ORS 353.606 is amended to read:

24 353.606. (1) There is created the Oregon Nursing Shortage Coalition Committee.

25 (2) The committee consists of 10 members, as follows:

26 (a) Two members who represent the Oregon State Board of Nursing appointed by the board.

27 (b) Two members who represent the Northwest Organization of Nurse Executives appointed by
28 the Oregon State Board of Nursing from a list of persons submitted to the board by the Northwest
29 Organization of Nurse Executives.

30 (c) Two members who represent the Oregon Nurses Association appointed by the Oregon State
31 Board of Nursing from a list of persons submitted to the board by the Oregon Nurses Association.

32 (d) One member appointed by the Oregon State Board of Nursing who represents Oregon-based,
33 generally accredited, not-for-profit private institutions of higher education from a list of persons
34 submitted to the board by the Oregon Independent Colleges Association.

35 (e) Two members appointed by the Director of the Office of Community Colleges [*and Workforce*
36 *Development*] from a list of persons submitted to the director by the Oregon Community College
37 Association.

38 (f) One member who represents Oregon Health and Science University appointed by the uni-
39 versity.

40 (3) When appointing members to the committee, the Oregon State Board of Nursing, the Director
41 of the Office of Community Colleges [*and Workforce Development*] and Oregon Health and Science
42 University shall ensure that there is at least one member from each of the following areas of the
43 state:

44 (a) Rural western Oregon.

45 (b) Coastal Oregon.

1 (c) Eastern Oregon.

2 (d) Urban areas.

3 (4) The term of office of each member is four years, but a member serves at the pleasure of the
 4 appointing authority. Before the expiration of the term of a member, the appointing authority shall
 5 appoint a successor whose term begins on July 1 next following. A member is eligible for reap-
 6 pointment. If there is a vacancy for any cause, the appointing authority shall make an appointment
 7 to become immediately effective for the unexpired term.

8 (5) The committee shall elect one of its members to serve as chairperson and another to serve
 9 as vice chairperson, for the terms and with the duties and powers necessary for the performance
 10 of the functions of such offices as the committee determines.

11 (6) The committee shall meet at times and places specified by the call of the chairperson or of
 12 a majority of the members of the committee.

13 (7) A majority of the members of the committee constitutes a quorum for the transaction of
 14 business.

15 (8) Members of the committee are entitled to actual and necessary travel expenses in the man-
 16 ner and amounts provided for in ORS 292.495. Claims for expenses incurred in performing functions
 17 of the committee shall be paid out of funds received by Oregon Health and Science University for
 18 that purpose.

19 (9) Oregon Health and Science University shall provide staff support to the committee.

20 **SECTION 58.** ORS 408.506 is amended to read:

21 408.506. The Department of Human Services, the Department of Transportation, the Housing and
 22 Community Services Department, the Employment Department, the Department of Justice, the Ju-
 23 dicial Department, public universities listed in ORS 352.002, the Bureau of Labor and Industries, the
 24 Office of Community Colleges [*and Workforce Development*] and the Department of Veterans' Affairs
 25 shall partner with the Oregon Military Department to provide reintegration services for veterans
 26 throughout this state through regional strategies.

27 **SECTION 59.** ORS 413.600 is amended to read:

28 413.600. (1) There is established within the Oregon Health Authority the Traditional Health
 29 Workers Commission.

30 (2) The Director of the Oregon Health Authority shall appoint the following 23 members to serve
 31 on the commission:

32 (a) Thirteen members, of which a majority or at least seven must be appointed from nominees
 33 selected by the Oregon Community Health Workers Association, who represent traditional health
 34 workers, including at least one member to represent each of the following:

35 (A) Community health workers, as defined in ORS 414.025;

36 (B) Personal health navigators, as defined in ORS 414.025;

37 (C) Peer wellness specialists, as defined in ORS 414.025;

38 (D) Peer support specialists, as defined in ORS 414.025;

39 (E) Doulas;

40 (F) Family support specialists, as defined in ORS 414.025; and

41 (G) Youth support specialists, as defined in ORS 414.025;

42 (b) One member who represents the Office of Community Colleges [*and Workforce*
 43 *Development*];

44 (c) One member who is a nurse who represents the Oregon Nurses Association;

45 (d) One member who is a physician licensed in this state;

- 1 (e) One member selected from nominees provided by the Home Care Commission;
- 2 (f) One member who represents coordinated care organizations;
- 3 (g) One member who represents a labor organization;
- 4 (h) One member who supervises traditional health workers at a community-based organization,
- 5 local health department, as defined in ORS 433.235, or agency, as defined in ORS 183.310;
- 6 (i) One member who represents community-based organizations or agencies, as defined in ORS
- 7 183.310, that provide for the training of traditional health workers;
- 8 (j) One member who represents a consumer of services provided by health workers who are not
- 9 licensed by this state; and
- 10 (k) One member who represents providers of Indian health services that work with traditional
- 11 health workers qualified under ORS 414.665, a federally recognized tribe or a tribal organization.
- 12 (3) In appointing members under subsection (2) of this section, the director shall consider
- 13 whether the composition of the Traditional Health Workers Commission represents the geographic,
- 14 ethnic, gender, racial, disability status, gender identity, sexual orientation and economic diversity
- 15 of traditional health workers.
- 16 (4) The term of office of each member of the commission is three years, but a member serves
- 17 at the pleasure of the director. Before the expiration of the term of a member, the director shall
- 18 appoint a successor whose term begins on January 1 next following. A member is eligible for re-
- 19 appointment. If there is a vacancy for any cause, the director shall make an appointment to become
- 20 immediately effective for the unexpired term.
- 21 (5) A majority of the members of the commission constitutes a quorum for the transaction of
- 22 business.
- 23 (6) Official action by the commission requires the approval of a majority of the members of the
- 24 commission.
- 25 (7) The commission shall elect one of its members to serve as chairperson.
- 26 (8) The commission shall meet at times and places specified by the call of the chairperson or
- 27 of a majority of the members of the commission.
- 28 (9) The commission may adopt rules necessary for the operation of the commission.
- 29 (10) A member of the commission is entitled to compensation and expenses as provided in ORS
- 30 292.495.

31 **SECTION 60.** ORS 417.799 is amended to read:

- 32 417.799. (1) The Department of Human Services is responsible for coordinating statewide plan-
- 33 ning for delivery of services to runaway and homeless youth and their families.
- 34 (2) The department shall recommend policies that integrate a system of services and support for
- 35 runaway and homeless youth into the state's continuum of care for children who are 0 through 17
- 36 years of age. The department shall recommend policies for a system of services and support for
- 37 youth who are 18 through 20 years of age and who continue to be or who become homeless.
- 38 (3) The department may work with the Youth Development Division, the Employment Depart-
- 39 ment, the Housing and Community Services Department, the Office of Community Colleges [*and*
- 40 *Workforce Development*], **the Office of Workforce Development**, the Department of Education and
- 41 the Oregon Youth Authority to develop a comprehensive and coordinated approach for services and
- 42 support for runaway and homeless youth and their families, including youth who are 18 through 20
- 43 years of age and who continue to be or who become homeless.
- 44 (4) In addition to the entities listed in subsection (3) of this section, the department shall include
- 45 representatives of youth, nonprofit organizations and statewide coalitions related to runaway and

1 homeless youth services and supports, including services and supports for youth who are 18 through
 2 20 years of age and who continue to be or who become homeless, in the joint process described in
 3 subsection (3) of this section.

4 (5) The department may enter into and renew contracts with providers for the provision of ser-
 5 vices to runaway and homeless youth and their families, including services to youth who are 18
 6 through 20 years of age and who continue to be or who become homeless.

7 (6) The department shall appoint an advisory committee to advise the department with respect
 8 to policies and procedures to coordinate statewide planning for delivery of services to runaway and
 9 homeless youth and their families. The advisory committee shall meet with and advise the depart-
 10 ment on a regular basis, provide the department with information regarding the status of existing
 11 services and make recommendations for improvements and additional services. The department shall
 12 include as members of the advisory committee stakeholders with expertise in housing, mental health
 13 and addictions, sex trafficking, child welfare and law enforcement.

14 (7) The department shall report annually on or before September 15 of each year to the interim
 15 legislative committees on child welfare regarding the status of the system of services and support
 16 for runaway and homeless youth developed by the department, and the advice and information pro-
 17 vided by the advisory committee appointed by the department, pursuant to this section.

18 **SECTION 61.** ORS 421.084 is amended to read:

19 421.084. (1) The Administrator of Correctional Education shall administer an adult basic skills
 20 development program for all individuals in the custody of the Department of Corrections. The pro-
 21 gram shall:

22 (a) Test individuals for basic reading and mathematics skills or, for individuals with limited
 23 English language proficiency, English speaking skills. Testing for basic intelligence, learning disa-
 24 bilities, developmental disabilities and adaptive behavior skills shall be administered as needed ex-
 25 cept that the administrator may accept equivalent test results from other sources.

26 (b) Except as provided in subsection (2) of this section, be mandatory for all individuals testing
 27 below a 8.0 grade equivalency on a standardized reading test approved by the National Reporting
 28 System for Adult Education of the United States Department of Education and by the Adult Basic
 29 Skills Program of the Office of Community Colleges [*and Workforce Development*].

30 (c) Provide progress testing and certification.

31 (d) Provide strong incentives for entering the program and for achieving the minimum reading
 32 level and, for those individuals with demonstrated ability, provide incentives for making progress
 33 toward earning a certificate for passing an approved high school equivalency test such as the Gen-
 34 eral Educational Development (GED) test.

35 (e) Maintain records of an individual's achievement in the program and make those records
 36 available to the State Board of Parole and Post-Prison Supervision.

37 (2) Testing for basic skills and participation in the adult basic skills development program are
 38 not required for adults in custody:

39 (a) Sentenced to or otherwise confined by the department for less than one year;

40 (b) Sentenced to life imprisonment without parole;

41 (c) Sentenced to death;

42 (d) With developmental disabilities; or

43 (e) Who are specifically exempted by the Department of Corrections for security or health rea-
 44 sons.

45

OREGON WORKFORCE CORPS

1
2
3 **SECTION 62.** (1) Subject to the availability of funds, there is created the Oregon
4 Workforce Corps that shall provide workforce development and employment programs. The
5 corps shall be headed by a program director and shall be administered through the Bureau
6 of Labor and Industries.

7 (2) Upon implementation of subsection (1) of this section, there shall be created the
8 Oregon Workforce Corps Advisory Board to consist of nine members, three to be appointed
9 by the President of the Senate, three to be appointed by the Speaker of the House of Rep-
10 resentatives and three public members to be appointed by the Governor. No more than one
11 Senator and one Representative shall be appointed.

12 (3) Board members may receive reimbursement of necessary and actual expenses under
13 ORS 292.495 (2), but may not receive compensation under ORS 292.495 (1) or otherwise for
14 participation as a board member.

15 (4) Board members may be removed by the appointing authority. Vacancies shall be filled
16 by the appointing authority. Board members shall serve for a term of three years and may
17 be reappointed for an additional consecutive term.

18 (5) The advisory board established under subsection (2) of this section shall advise the
19 program director on the implementation of sections 62 to 64 of this 2021 Act.

20 **SECTION 63.** (1) In consultation with the Oregon Workforce Corps Advisory Board and
21 the Director of the Office of Workforce Development, or the designee of the director, the
22 program director of the Oregon Workforce Corps shall establish eligibility criteria for par-
23 ticipants in the corps's workforce development and employment programs. Such criteria
24 shall not render the programs ineligible for federal funds. Participants shall be lawful per-
25 manent residents of this state.

26 (2) The program director, in consultation with the Director of the Office of Workforce
27 Development, or the designee of the director, may take the following actions, including but
28 not limited to:

29 (a) Applying for and accepting grants or contributions of funds from any public or private
30 source;

31 (b) Making agreements with any local, state or federal agency to utilize any service,
32 material or property of any such agency, where such agreements are considered reasonable
33 and necessary; and

34 (c) Purchasing or contracting for necessary private services, equipment, materials and
35 property where such are needed to carry out the projects approved for and undertaken by
36 the corps.

37 (3) The Bureau of Labor and Industries may adopt all necessary rules to carry out the
38 purposes and objectives of the programs and to regulate the standards of conduct and other
39 operating guidelines for program participants and other personnel.

40 (4) Program participants are exempt from:

41 (a) State Personnel Relations Law; and

42 (b) ORS 279C.800 to 279C.870.

43 **SECTION 64.** (1) The programs established under sections 62 to 64 of this 2021 Act shall
44 provide selected participants with paid workforce development and employment opportu-
45 nities:

1 (a) In the areas of:

2 (A) Agriculture, fisheries and forestry;

3 (B) Natural resources sustainability; or

4 (C) Technology innovation.

5 (b) Of at least three but not more than 12 months' duration.

6 (2) To the extent practicable, the program director of the Oregon Workforce Corps shall
7 enlist state and federal agencies, local government, nonprofit organizations and private
8 businesses, and any combination of such entities, to act as sponsors for programs adminis-
9 tered under sections 62 to 64 of this 2021 Act. Selection of sponsors shall be based on criteria
10 that include the following:

11 (a) The availability of other resources on a matching basis, including contributions from
12 private sources, other federal, state and local agencies, and moneys available through the
13 federal Workforce Innovation and Opportunity Act;

14 (b) The provision of related educational and job training programs to participants, in-
15 cluding but not limited to school and college coursework, training for approved high school
16 equivalency tests such as the General Educational Development (GED) test, project-related
17 education and professional training; and

18 (c) Assurances that proposed projects will not displace existing employees or duplicate
19 existing private or government programs.

20 (3) In consultation with the Oregon Workforce Corps Advisory Board, the program di-
21 rector shall make grants for programs administered under this section.

22
23 OPERATIVE DATES

24
25 SECTION 65. The transfer of duties, functions, powers, records, property, employees and
26 moneys by sections 4, 5 and 6 of this 2021 Act does not become operative until the date on
27 which the Director of the Office of Workforce Development is appointed. Until that date,
28 the Higher Education Coordinating Commission and the Office of Community Colleges and
29 Workforce Development shall continue to perform the duties and functions, exercise the
30 powers and have charge of the records, property, employees and moneys.

31 SECTION 66. The Director of the Office of Workforce Development may be appointed
32 before the operative date specified in section 67 of this 2021 Act. The Bureau of Labor and
33 Industries, the Higher Education Coordinating Commission, the Office of Community Col-
34 leges and Workforce Development and the Director of the Office of Workforce Development
35 may take any action before that date that is necessary to enable the bureau, the commission,
36 the office and the director to exercise, on and after the operative date specified in section
37 67 of this 2021 Act, the duties, functions and powers conferred on the bureau, the commis-
38 sion, the office and the director by sections 1 to 10, 27, 28 and 62 to 65 of this 2021 Act and
39 the amendments to statutes by sections 11 to 26 and 29 to 61 of this 2021 Act.

40 SECTION 67. Sections 1 to 10, 27, 28 and 62 to 65 of this 2021 Act and the amendments
41 to statutes by sections 11 to 26 and 29 to 61 of this 2021 Act become operative on July 1, 2022.

42
43 CAPTIONS

44
45 SECTION 68. The unit captions used in this 2021 Act are provided only for the conven-

1 **ience of the reader and do not become part of the statutory law of this state or express any**
2 **legislative intent in the enactment of this 2021 Act.**
3 _____