

# DRAFT

## SUMMARY

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

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

Declares emergency, effective on passage.

## A BILL FOR AN ACT

Relating to vocational education; and declaring an emergency.

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

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

**SECTION 2. (1) The State Apprenticeship Education and Training Fund is established in the State Treasury, separate and distinct from the General Fund. The moneys in the State Apprenticeship Education and Training Fund consist of amounts collected under section 4 of this 2015 Act from contracting agencies that award public improvement contracts.**

**(2) Moneys in the State Apprenticeship Education and Training Fund may be invested as provided in ORS 293.701 to 293.857. Interest from any source derived from investing the moneys of the fund must be credited to the fund.**

**(3)(a) Moneys in the State Apprenticeship Education and Training**

**Fund are continuously appropriated to:**

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

**(B) The Bureau of Labor and Industries for the purpose of overseeing and monitoring apprenticeship education and training programs, including programs identified in subparagraph (A) of this paragraph, for compliance with applicable rules, standards and laws.**

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

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

**(a) Apprenticeship education and training programs, direct entry programs and preapprenticeship and youth apprenticeship programs that are registered with the council;**

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

**(c) Public post-secondary educational institutions.**

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

**SECTION 4. (1)(a) Except as provided in paragraph (b) of this subsection, a contracting agency that awards a contract for a public improvement shall pay an amount into the State Apprenticeship**

1 Education and Training Fund that is equivalent to \$500 for each \$1  
2 million increment or fraction of each \$1 million increment of the  
3 contracting agency's share of the contract price for the public im-  
4 provement, above a threshold amount of \$1 million. A contracting  
5 agency shall calculate and pay the amount required under this para-  
6 graph at the time the contracting agency awards the contract for the  
7 public improvement.

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

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

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

31 SECTION 6. (1) Sections 2 and 4 of this 2015 Act become operative

1 on January 1, 2016.

2 (2) The State Apprenticeship and Training Council and the Com-  
3 missioner of the Bureau of Labor and Industries may adopt rules and  
4 take related actions before the operative date specified in subsection  
5 (1) of this section that are necessary to enable the council or the  
6 commissioner to exercise, on and after the operative date specified in  
7 subsection (1) of this section, all of the duties, functions and powers  
8 conferred on the council or the commissioner by section 2 of this 2015  
9 Act.

10 (3) The Oregon Department of Administrative Services, the Attor-  
11 ney General and a contracting agency that adopts rules under ORS  
12 279A.065 may adopt rules and take related actions that are necessary  
13 to enable the department, the Attorney General or the contracting  
14 agency to exercise, on and after the operative date specified in sub-  
15 section (1) of this section, all of the duties, functions and powers  
16 conferred on the department, the Attorney General or the contracting  
17 agency by section 4 of this 2015 Act.

18 SECTION 7. This 2015 Act being necessary for the immediate pres-  
19 ervation of the public peace, health and safety, an emergency is de-  
20 clared to exist, and this 2015 Act takes effect on its passage.