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AS AMENDED

By: Wallace of the House

and

Leewright of the Senate

[professions and occupations - Construction Industries Board - Skilled Trade Education and Workforce Development Fund - codification - effective date]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1000.4a of Title 59, unless there is created a duplication in numbering, reads as follows:

A. The Construction Industries Board shall have the additional powers to:

1. Receive and convey information relating to the skilled trades regulated by the Construction Industries Board; and

2. Enter into contracts with the Oklahoma Department of Career and Technology Education for any accredited vocational or technical school or system of education institution in the State of Oklahoma receiving state appropriations and offering programs in secondary

1 and postsecondary instruction that provide electrical, mechanical,
2 plumbing or roofing trade coursework for any of the following
3 purposes, or combination thereof:

- 4 a. developing and implementing instructional courses on
5 Oklahoma statutes and rules that govern the
6 electrical, mechanical, plumbing and roofing trades,
7 which courses can be in conjunction with instruction
8 in performing trade work or instruction on statewide-
9 adopted trade codes, or both, for the advancement of
10 the electrical, mechanical, plumbing and roofing
11 trades, or
- 12 b. developing and implementing a workforce development
13 program that will create interest in the pursuit of a
14 skilled trade career. The workforce development
15 program may consist of, but is not limited to, use of
16 the Internet, community and school presentations, and
17 research and instruction on the electrical,
18 mechanical, plumbing and roofing trades.

19 B. All contracts with the Oklahoma Department of Career and
20 Technology Education pursuant to this section shall be approved by
21 the Construction Industries Board in accordance with the Oklahoma
22 Open Meeting Act. Costs of the contracts with the Oklahoma
23 Department of Career and Technology Education for education and
24 workforce development programs shall be paid from the Skilled Trade

1 Education and Workforce Development Fund established herein and
2 funded by administrative fines or penalties as described in this
3 section.

4 C. Fines or penalties collected by the Board and deposited in
5 the Oklahoma Mechanical Licensing Revolving Fund, the Electrical
6 Revolving Fund, the Plumbing Licensing Revolving Fund and the
7 Roofing Contractor Registration Revolving Fund may be transferred to
8 the Skilled Trade Education and Workforce Development Fund created
9 in subsection E of this section for the following purposes:

10 1. To develop instructional materials on Oklahoma laws,
11 statutes and rules, as they relate to the plumbing, mechanical,
12 electrical and roofing trades and state licensing standards;

13 2. To cover the cost of equipment, materials, personnel and any
14 other costs of developing and implementing the trade curriculum; and

15 3. To cover the cost of equipment, materials, personnel and any
16 other costs of developing and implementing the workforce development
17 program used to promote the plumbing, mechanical, electrical and
18 roofing trades as a career in Oklahoma.

19 D. The Skilled Trade Education and Workforce Development Fund
20 monies shall be used only for the advancement of trade-related
21 education and workforce development, and only if available based
22 upon statutory limitations.

23 E. 1. There is hereby created in the State Treasury a
24 revolving fund for the Construction Industries Board to be

1 designated the "Skilled Trade Education and Workforce Development
2 Fund". The fund shall be a continuing fund, not subject to fiscal
3 year limitations. The fund shall consist of an annual transfer of
4 fully adjudicated fine revenue received in the Oklahoma Mechanical
5 Licensing Revolving Fund, Electrical Revolving Fund, Plumbing
6 Licensing Revolving Fund or Roofing Contractor Registration
7 Revolving Fund as determined pursuant to this section. Funds may be
8 transferred only from the prior fiscal year.

9 2. If actual receipts, not including fine receipts, exceed
10 actual expenses and outstanding encumbrances, then one hundred
11 percent (100%) of all fully adjudicated fine revenue received shall
12 be transferred from each specific trade revolving fund: the
13 Oklahoma Mechanical Licensing Revolving Fund, Electrical Revolving
14 Fund, Plumbing Licensing Revolving Fund or Roofing Contractor
15 Registration Revolving Fund.

16 3. If at any time the receipts in the Oklahoma Mechanical
17 Licensing Revolving Fund, Electrical Revolving Fund, Plumbing
18 Licensing Revolving Fund or Roofing Contractor Registration
19 Revolving Fund, not including fine receipts, are less than actual
20 expenses and outstanding encumbrances, then the difference of fine
21 receipts over actual expenses and outstanding encumbrances, if any,
22 shall be transferred.

23 4. If at any time the annual receipts in the Oklahoma
24 Mechanical Licensing Revolving Fund, Electrical Revolving Fund,

1 Plumbing Licensing Revolving Fund or Roofing Contractor Registration
2 Revolving Fund, including fine receipts, are less than the actual
3 expenses and outstanding encumbrances, there shall be no transfer of
4 funds for that period.

5 5. All monies accruing to the credit of the Skilled Trade
6 Education and Workforce Development Fund may be budgeted and
7 expended by the Construction Industries Board for workforce
8 development as it relates to the skilled trades and to contract for
9 the services identified in Section 1000.4 of Title 59 of the
10 Oklahoma Statutes or this act. Expenditures from the fund shall be
11 made upon warrants issued by the State Treasurer against claims
12 filed as prescribed by law with the Director of the Office of
13 Management and Enterprise Services for approval and payment.

14 SECTION 2. AMENDATORY 59 O.S. 2011, Section 1018, as
15 last amended by Section 274, Chapter 304, O.S.L. 2012 (59 O.S. Supp.
16 2017, Section 1018), is amended to read as follows:

17 Section 1018. All fees, administrative fines or payments of any
18 type received by the Construction Industries Board under The
19 Plumbing License Law of 1955 shall be deposited in a revolving fund
20 to be designated as the "Plumbing Licensing Revolving Fund" and are
21 hereby appropriated and may be expended by the Construction
22 Industries Board for the purpose of implementing The Plumbing
23 License Law of 1955, and the fully adjudicated fine revenue received
24 into this fund may be transferred to the Skilled Trade Education and

1 Workforce Development Fund created in subsection E of Section 1 of
2 this act. The fund shall be a continuing fund, not subject to
3 fiscal year limitations. Expenditures from the fund shall be made
4 upon warrants issued by the State Treasurer against claims filed as
5 prescribed by law with the Director of the Office of Management and
6 Enterprise Services for approval and payment.

7 SECTION 3. AMENDATORY 59 O.S. 2011, Section 1151.20, as
8 last amended by Section 278, Chapter 304, O.S.L. 2012 (59 O.S. Supp.
9 2017, Section 1151.20), is amended to read as follows:

10 Section 1151.20. There is hereby created in the State Treasury
11 a revolving fund for the Construction Industries Board to be
12 designated the "Roofing Contractor Registration Revolving Fund".
13 The fund shall be a continuing fund, not subject to fiscal year
14 limitations, and shall consist of application and renewal fees, late
15 fees, administrative fees, reinstatement fees, and any other monies
16 collected pursuant to the Roofing Contractor Registration Act. All
17 monies accruing to the credit of the fund are hereby appropriated
18 and may be budgeted and expended by the Construction Industries
19 Board for implementation and administration of the Roofing
20 Contractor Registration Act, and the fully adjudicated fine revenue
21 received into this fund may be transferred to the Skilled Trade
22 Education and Workforce Development Fund created in subsection E of
23 Section 1 of this act. Expenditures from the fund shall be made
24 upon warrants issued by the State Treasurer against claims filed as

1 prescribed by law with the Director of the Office of Management and
2 Enterprise Services for approval and payment.

3 This fund shall be subject to and comply with the provisions of
4 Section 211 of Title 62 of the Oklahoma Statutes.

5 SECTION 4. AMENDATORY 59 O.S. 2011, Section 1694, as
6 last amended by Section 281, Chapter 304, O.S.L. 2012 (59 O.S. Supp.
7 2017, Section 1694), is amended to read as follows:

8 Section 1694. All monies received by the Construction
9 Industries Board under the Electrical License Act, including the
10 administrative fines authorized by Section 1695 of this title, shall
11 be deposited with the State Treasurer and credited to the
12 "Electrical Revolving Fund". The revolving fund shall be a
13 continuing fund not subject to fiscal year limitations and may be
14 budgeted and expended by the Construction Industries Board.
15 Expenditures from this fund shall be made pursuant to the purposes
16 of the Electrical License Act and shall include, but not be limited
17 to, payment of operating costs and the costs of programs designed to
18 promote public awareness of the electrical industry, and
19 expenditures for the preparation and printing of regulations,
20 bulletins or other documents and the furnishing of copies of such
21 documents to those persons engaged in the electrical industry or the
22 public, and the fully adjudicated fine revenue received into this
23 fund may be transferred to the Skilled Trade Education and Workforce
24 Development Fund created in subsection E of Section 1 of this act.

1 Expenditures from the fund shall be made upon warrants issued by the
2 State Treasurer against claims filed as prescribed by law with the
3 Director of the Office of Management and Enterprise Services for
4 approval and payment.

5 SECTION 5. AMENDATORY 59 O.S. 2011, Section 1850.13, as
6 last amended by Section 286, Chapter 304, O.S.L. 2012 (59 O.S. Supp.
7 2017, Section 1850.13), is amended to read as follows:

8 Section 1850.13. There is hereby created in the State Treasury
9 a revolving fund for the Construction Industries Board, to be
10 designated the "Oklahoma Mechanical Licensing Revolving Fund". The
11 fund shall be a continuing fund, not subject to fiscal year
12 limitations, and shall consist of all monies received by the Board
13 pursuant to the Mechanical Licensing Act, including administrative
14 fines authorized by Section 1850.11 of this title. All monies
15 accruing to the credit of said fund are hereby appropriated and may
16 be budgeted and expended by the Construction Industries Board for
17 the purpose of implementing the Mechanical Licensing Act, and the
18 fully adjudicated fine revenue received into this fund may be
19 transferred to the Skilled Trade Education and Workforce Development
20 Fund created in subsection E of Section 1 of this act. Expenditures
21 from said fund shall be made upon warrants issued by the State
22 Treasurer against claims filed as prescribed by law with the
23 Director of the Office of Management and Enterprise Services for
24 approval and payment.

SECTION 6. This act shall become effective November 1, 2018.

COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
April 11, 2018 - DO PASS AS AMENDED