

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2644

By: Wallace

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7 COMMITTEE SUBSTITUTE

8 An Act relating to professions and occupations;
9 providing for powers of the Construction Industries
10 Board; requiring contracts be approved by Board
11 pursuant to the Oklahoma Open Meeting Act; providing
12 for use of certain funds; creating the Skilled Trade
13 Education and Workforce Development Fund; providing
14 for transfer of funds; prohibiting transfer of funds
15 for certain period of time; providing for
16 expenditures of fund; providing for codification; and
17 providing an effective date.

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

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

22 A. The Construction Industries Board shall have the following
23 powers:

24 1. To establish and maintain an Internet website, social media
page or other web presence, as necessary for the conveyance of
information regarding the Board or any of the trades the Board

1 regulates. Any costs associated with this paragraph shall be paid
2 from the revolving funds administered by the Board; and

3 2. To enter into contracts with the Oklahoma Department of
4 Career and Technology Education for any accredited vocational or
5 technical school or system of education institution in the State of
6 Oklahoma receiving state appropriations and offering programs in
7 secondary and postsecondary instruction that provides electrical,
8 mechanical, plumbing or roofing trade coursework for the purpose of:

9 a. developing and implementing instructional courses on
10 Oklahoma statutes and rules that govern the
11 electrical, mechanical, plumbing and roofing trades,
12 which courses can be in conjunction with instruction
13 in performing trade work or instruction on statewide-
14 adopted trade codes, or both, for the advancement of
15 the electrical, mechanical, plumbing and roofing
16 trades, or

17 b. developing and implementing a workforce development
18 program that will create interest in the pursuit of a
19 skilled trade career. The workforce development
20 program may consist of, but is not limited to, use of
21 the Internet, community and school presentations,
22 research and instruction on the electrical,
23 mechanical, plumbing and roofing trades.

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1 B. All contracts pursuant to this section shall be approved by
2 the Construction Industries Board in accordance with the Oklahoma
3 Open Meeting Act. Costs of the education and workforce development
4 programs shall be paid from the Skilled Trade Education and
5 Workforce Development Fund established herein and funded by
6 administrative fines or penalties as described in this section.

7 C. Fines or penalties collected by the Board and deposited in
8 the Oklahoma Mechanical Licensing Revolving Fund, Electrical
9 Revolving Fund, Plumbing Licensing Revolving Fund or Roofing
10 Contractor Registration Fund may be transferred to a separate
11 Skilled Trade Education and Workforce Development Fund for the use
12 of the following:

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

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

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

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

3 E. There is hereby created in the State Treasury a revolving
4 fund for the Construction Industries Board to be designated the
5 "Skilled Trade Education and Workforce Development Fund". The fund
6 shall be a continuing fund, not subject to fiscal year limitations.
7 The fund shall consist of an annual transfer of fully adjudicated
8 fine revenue received in the Oklahoma Mechanical Licensing Revolving
9 Fund, Electrical Revolving Fund, Plumbing Licensing Revolving Fund
10 or Roofing Contractor Registration Fund as determined pursuant to
11 this section. Funds will be transferred only from the prior fiscal
12 year. If actual receipts, not including fine receipts, exceed
13 actual expenses and outstanding encumbrances, then one hundred
14 percent (100%) of all fully adjudicated fine revenue received will
15 be transferred from each specific trade revolving fund: the
16 Oklahoma Mechanical Licensing Revolving Fund, Electrical Revolving
17 Fund, Plumbing Licensing Revolving Fund or Roofing Contractor
18 Registration Fund.

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

3 G. If at any time the annual receipts in the Oklahoma
4 Mechanical Licensing Revolving Fund, Electrical Revolving Fund,
5 Plumbing Licensing Revolving Fund or Roofing Contractor Registration
6 Fund, including fine receipts, are less than the actual expenses and
7 outstanding encumbrances, there will be no transfer of funds for
8 that period.

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

18 SECTION 2. This act shall become effective November 1, 2016.

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