

1 ENGROSSED HOUSE
2 BILL NO. 3597

By: Hill of the House

3 and

4 Paxton of the Senate
5

6 An Act relating to state government; amending 74 O.S.
7 2021, Sections 5003.10d and 5003.10e, which relate to
8 the Governor's Council for Workforce and Economic
9 Development; modifying reimbursement of travel
10 expenses; modifying coordination of the Council
11 activities; and declaring an emergency.

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

13 SECTION 1. AMENDATORY 74 O.S. 2021, Section 5003.10d, is
14 amended to read as follows:

15 Section 5003.10d A. The Governor's Council for Workforce and
16 Economic Development established under the authority of Executive
17 Order 2005-27 is hereby recognized by the Legislature as the State's
18 Workforce Investment Board. The Council succeeded and was
19 established in lieu of the Oklahoma Workforce Investment Board.
20 Appointed members of the Council serving under the authority of
21 Executive Order 2005-27 when this act becomes effective shall
22 continue to serve until their terms have expired and their
23 successors have been duly appointed.
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1 Pursuant to the federal Workforce Innovation and Opportunity Act,
2 the purpose of the Council shall be to:

3 1. Guide the development of a comprehensive and coordinated
4 workforce development system for the state and monitor its
5 operation; and

6 2. Review and make recommendations that will align the
7 workforce system, including education, with the economic development
8 goals of the state for the purpose of creating workforce and
9 economic development systems that are integrated and shall provide
10 Oklahoma a competitive advantage in a global economy.

11 B. Membership of the Council shall include representatives of
12 private employers who reflect Oklahoma's projected and desired
13 business and industry base and public officials from agencies which
14 provide programs and services related to workforce, education and
15 economic development. All Council members shall be in positions to
16 influence policy and hiring decisions within their organizations.
17 Initial appointments to the Council shall conform to the following
18 described schedule:

19 1. The membership of the Council shall comply with the federal
20 requirements of the state investment board;

21 2. A majority of the Council shall come from described private
22 sector employers, including owners of businesses, chief executives
23 or operating officers of businesses or other business executives or
24 employees with optimum policymaking or hiring authority, and who

1 represent businesses, including small businesses, that provide
2 employment opportunities that, at a minimum, include high-quality,
3 work-relevant training and development in in-demand industry sectors
4 or occupations in this state;

5 3. State officials shall include incumbents or designees of the
6 following named offices, or their successors in office or function:

- 7 a. Governor,
- 8 b. two members of the Oklahoma Senate, appointed by the
9 President Pro Tempore,
- 10 c. two members of the Oklahoma House of Representatives,
11 appointed by the Speaker, and
- 12 d. ~~Executive Director of the Oklahoma Department of~~
13 ~~Commerce, and~~
- 14 e. Executive Director of the Oklahoma Employment Security
15 Commission;

16 4. Additional members, at the discretion and pleasure of the
17 Governor, may be appointed representing the needs or interests of
18 the state economy or specific regional needs; and

19 5. Ex-officio members, at the discretion and pleasure of the
20 Governor, may be included to provide expertise and agency
21 information to the Council. These appointments may include, but not
22 be limited to:

- 23 a. the Secretary of Education,
- 24 b. the Secretary of Health and Human Services,

- c. the Secretary of Commerce,
- d. the Chancellor of the Oklahoma State Regents for Higher Education,
- e. the Director of Career and Technology Education,
- f. the State Superintendent of Public Instruction,
- g. the Director of the State Department of Rehabilitation Services,
- h. the Director of the Oklahoma Department of Corrections,
- i. the Commissioner of the Oklahoma Department of Mental Health and Substance Abuse Services,
- j. the Director of the Oklahoma Health Care Authority,
- and
- k. the Native American Liaison.

C. Private sector members shall be appointed by and serve at the pleasure of the Governor for a two-year term beginning October 1, 2005, and may be reappointed. However, of the initial private sector members appointed, half shall be appointed for an initial term of one (1) year beginning October 1, 2005. Private members may be removed from office for failure to attend three consecutive Council meetings. The chair of the Council shall be from the private sector and shall be appointed by and serve at the pleasure of the Governor.

1 D. The Council shall meet at such times and places as it deems
2 appropriate. Members shall serve without compensation. Council
3 members employed by a state agency shall be reimbursed travel
4 expenses related to their service on the Council as authorized by
5 state law by their respective state agency. Legislative members of
6 the Council shall be reimbursed by their respective houses for
7 necessary travel expenses incurred in the performance of their
8 duties as authorized by state law. Remaining Council members shall
9 also be reimbursed travel expenses related to their service on the
10 Council by the Oklahoma ~~Department of Commerce~~ Employment Security
11 Commission as authorized by state law. No member of the Council
12 shall profit, directly or indirectly, from any transaction with the
13 Council.

14 E. The duties and responsibilities of the Council in the
15 development, monitoring and aligning of the workforce system with
16 economic development shall include, but not be limited to:

17 1. Performing the duties required of the state governance board
18 by the federal Workforce Innovation and Opportunity Act;

19 2. Identifying the human resource investment needs of Oklahoma
20 business and industry, together with those of the citizens of the
21 state, so that each might respond to and meet the needs of the
22 others and thus together build a robust, diversified economy;

23 3. Reviewing and evaluating workforce development programs
24 within the state, formulate recommendations to increase their

1 efficiency and effectiveness, eliminate duplication, and align with
2 economic goals. Recommendations shall be communicated to the
3 Governor, Legislature, state and federal government agencies and
4 appropriate individuals and entities within the private sector;

5 4. Increasing academic capability and technical skills within
6 the state workforce and foster lifelong learning among Oklahoma's
7 citizens;

8 5. Strengthening collaboration among institutions which provide
9 education and training services, government agencies which
10 coordinate employment and other human resource investment
11 activities, and Oklahoma business and industry to create a seamless
12 system to nurture healthy economic development; and

13 6. Enhancing rural economic development capability and
14 capacity, giving particular attention to regional collaboration and
15 partnering.

16 F. Activities of the Council shall be coordinated by the
17 Secretary of Commerce and directed by the Deputy Secretary of
18 ~~Commerce for Workforce Development, or their successors in office or~~
19 ~~function. Administrative and staffing support for the Council shall~~
20 ~~be coordinated by the Office of Workforce Solutions within the~~
21 ~~Department of Commerce~~ Workforce Development.

22 G. The State Workforce Partners originally established under
23 the authority of Executive Order 2005-27 as the Workforce Solutions
24 Staff Team is hereby recognized by the Legislature. This

1 interagency team shall be comprised of executive level staff from
2 workforce, education and economic development agencies of the state
3 for the purpose of providing staff support to the Council and to
4 create efficiencies, eliminate duplication, and eliminate barriers
5 to jointly providing a service delivery system. Other members may
6 be included on this team as the Governor may deem necessary to
7 accomplish this goal.

8 H. The Council shall be supported by funds available to state
9 agencies pursuant to state and federal laws and regulations. Each
10 member of the Council whose agency qualifies pursuant to state and
11 federal law to receive and use such funds shall assist by providing
12 support and funding of the Council in carrying out the
13 responsibilities of the Council.

14 I. The Council shall form a subcommittee on health workforce
15 whose purpose shall be to inform, coordinate, and facilitate
16 statewide efforts to ensure that a well-trained, adequately
17 distributed, and flexible health workforce is available to meet the
18 needs of an efficient and effective health care system in Oklahoma.
19 Duties of the Health Workforce Subcommittee shall include, but not
20 be limited to, the following:

21 1. Conducting data analysis and preparing reports on health
22 workforce supply and demand;

23 2. Research and analysis of state health professional education
24 and training capacity;

1 3. Recommend recruitment and retention strategies for areas
2 determined by the Oklahoma Primary Care Office or the Oklahoma
3 Office of Rural Health to be areas of high need; and

4 4. Assessment of health workforce policy, evaluation of impact
5 on Oklahoma's health system and health outcomes, and developing
6 health workforce policy recommendations.

7 SECTION 2. AMENDATORY 74 O.S. 2021, Section 5003.10e, is
8 amended to read as follows:

9 Section 5003.10e A. There is hereby created the Work-based
10 Learning Program. The Governor's Council on Workforce and Economic
11 Development shall have authority over the program. The Governor's
12 Council shall coordinate the program by establishing partnerships
13 with the State Department of Education, the State Regents for Higher
14 Education, the State Department of Career and Technology Education,
15 the Oklahoma Board of Private Vocational Schools, the Secretary of
16 State and business entities throughout the state. The ~~Oklahoma~~
17 ~~Office of Workforce Development~~ Oklahoma Employment Security
18 Commission, serving as the Workforce Innovation and Opportunity Act
19 designee as established by the Governor in Executive Order 2023-21,
20 shall have the official duty to develop and maintain a Work-based
21 Learning Program within its jurisdiction ~~to be focused~~ and will
22 collaborate, specifically related to registered apprenticeships,
23 with the Oklahoma Department of Career and Technology Education in
24 its focus on increasing the number of registered apprenticeships and

1 internship programs, defined as paid and unpaid work experience by
2 the United States Department of Labor as contained in 20 CFR
3 681.600, in this state to at least an aggregate of twenty thousand
4 positions by the end of the calendar year 2020. All partners
5 participating in the Work-based Learning Program shall be required
6 to provide their expertise, time and resources as deemed necessary
7 to advance and sustain the work-based learning goals of Oklahoma
8 Works to assist with publishing an annual progress report showing
9 each state agency's steps and accomplishments toward meeting
10 statewide workforce goals and to network and coordinate with other
11 public and private entities in an effort to align all state
12 agencies, boards and commissions and the private business sector in
13 meeting Oklahoma Works goals.

14 B. The Work-based Learning Program shall include the following
15 components:

16 1. Coordinate work-based learning opportunities through the
17 state's labor market and labor exchange systems to connect youth and
18 adults in public and private sectors;

19 2. Work toward increasing the number of youth and adults
20 participating successfully in public and private work-based learning
21 opportunities;

22 3. Set standards for equality and fair access to quality work-
23 based learning experiences for all Oklahomans, including, but not
24 limited to, women, out-of-school youth, adults, African Americans,

1 Hispanics, Native Americans, veterans, individuals with disabilities
2 and other target populations identified in the federal Workforce
3 Innovation and Opportunity Act;

4 4. Promote quality work-based learning experiences which are
5 developmentally appropriate, including an orientation for all
6 parties, identify learning objectives for the term of the
7 experience, explore multiple aspects of an industry, develop
8 workplace skills and competencies, assess performance, provide
9 opportunities for work-based reflection, link appropriate next steps
10 and see that all aspects are documented and reported and comply with
11 state and federal labor laws;

12 5. Convene industry partners to develop industry-specific
13 standards for internships in order to aid employers with the
14 creation of rigorous internship programs; and

15 6. Prioritize paid work-based learning experiences to ensure
16 equity and access.

17 C. Each organization seeking to be a registered Work-based
18 Learning Program in Oklahoma shall either:

19 1. Be registered as a Work-based Learning Program, such as an
20 apprenticeship, with the United States Department of Labor; or

21 2. File a certificate each year in the Office of the Secretary
22 of State, which shall confirm such an organization is an active
23 participant in Oklahoma's registered Work-based Learning Program.

24 The certificate to be filed shall include:

- a. the name of the business, nonprofit organization or government organization,
- b. the street address of the organization,
- c. the name of the primary contact for the organization,
- d. the electronic mail address for the primary contact of the registered organization,
- e. the registered organization's North American Industry Classification System code (NAICS), if applicable,
- f. the number and type of work-based learning opportunities proposed for the year, the estimated term of each opportunity, the proposed occupations, and estimated number of hours per week of each opportunity, if available,
- g. the number and type of work-based learning opportunities proposed for the year, the estimated term of each opportunity, the proposed occupations, and the estimated number of hours per week of each opportunity, if available,
- h. signed acknowledgement of the application by the primary contact, and
- i. the annual renewal shall be due on the anniversary date of filing the registration application.

The filing shall be made electronically via the Secretary of State website.

1 D. The annual certificate of participation shall be due on the
2 anniversary date of original registration, as the case may be, until
3 cancellation of the work-based organization in the Work-based
4 Learning Program.

5 E. The Secretary of State shall, at least sixty (60) days
6 before the anniversary date each year of a participating
7 organization, cause a notice of renewal of the annual certificate to
8 be sent to such organization to its last known electronic mail
9 address of record filed with the Secretary of State. At the time of
10 renewal, the organization shall provide a Work-based Learning
11 Program annual summary, including for each position offered:

- 12 1. The number of opportunities posted;
- 13 2. The number of opportunities hired;
- 14 3. The type of work-based learning opportunities offered (e.g.,
15 internship, apprenticeship);
- 16 4. The Standard Occupational Classification (SOC) code;
- 17 5. The performance evaluation criteria utilized;
- 18 6. The term of the position;
- 19 7. The number of hours per week;
- 20 8. Paid or unpaid status;
- 21 9. Academic credit awarding institution, if applicable;
- 22 10. Academic hours awarded, if applicable; and
- 23 11. The gender, age and ethnicity of hires, if available.

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1 F. A registered organization that fails to file the annual
2 renewal and pay the annual renewal fee by the anniversary date of
3 registration shall cease to be a registered organization with the
4 Governor's Council for Workforce and Economic Development.

5 G. The Secretary of State shall charge and collect the
6 following fees:

7 1. For filing the original application, a fee of Fifty Dollars
8 (\$50.00) submitted to the Secretary of State; and

9 2. For filing subsequent annual renewals, a fee of Twenty-five
10 Dollars (\$25.00) submitted to the Secretary of State.

11 H. To coordinate with statewide career pathways efforts,
12 registered organizations under this program shall recruit
13 participants by posting job announcements on the state labor market
14 exchange system. Job announcements shall include the registered
15 organization number as assigned by the Secretary of State.

16 I. The Secretary of State shall transfer on July 1 of each
17 fiscal year an amount based on the Governor's Council for Workforce
18 Development annual budget not to exceed Eight Hundred Fifty Thousand
19 Dollars (\$850,000.00) annually from the Secretary of State revolving
20 fund to support the administration of the program and business
21 registration to help enable the development of the state's talent
22 pipeline.

23 SECTION 3. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

3 Passed the House of Representatives the 6th day of March, 2024.

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Presiding Officer of the House
of Representatives

Passed the Senate the ___ day of _____, 2024.

Presiding Officer of the Senate