

1 ENGROSSED HOUSE AMENDMENT

TO

2 ENGROSSED SENATE BILL NO. 621

By: Pugh of the Senate

3 and

4 Hill of the House

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7 An Act relating to the Oklahoma Workforce
8 Transformation Act; providing short title; defining
9 terms; creating the Oklahoma Workforce Commission;
10 providing purpose; providing for membership;
11 providing for qualification of commissioners; stating
12 appointment terms; allowing for election of chair and
13 vice chair; requiring certain meeting; allowing
14 certain reimbursement; stating quorum; providing for
15 powers, duties, and responsibilities of the
16 Commission; creating the Workforce Development
17 Revolving Fund; allowing certain investments;
18 prohibiting certain fund utilization; providing for
19 codification; and declaring an emergency.

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16 AUTHOR: Add the following House Coauthors: Archer and Lepak

17 AMENDMENT NO. 1. Page 1, Lines 6 through 12, strike the title to
18 read:

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19 "[Oklahoma Workforce Transformation Act - Oklahoma

20 Workforce Commission - Workforce Development

21 Revolving Fund - investments - fund utilization -

22 codification -

23 emergency]"

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1 Passed the House of Representatives the 26th day of April, 2023.

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4 Presiding Officer of the House of
Representatives
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6 Passed the Senate the ____ day of _____, 2023.

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9 Presiding Officer of the Senate
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6 An Act relating to the Oklahoma Workforce
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14 powers, duties, and responsibilities of the
15 Commission; creating the Workforce Development
16 Revolving Fund; allowing certain investments;
17 prohibiting certain fund utilization; providing for
18 codification; and declaring an emergency.

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

21 SECTION 1. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 900 of Title 40, unless there is
23 created a duplication in numbering, reads as follows:

24 This act shall be known and may be cited as the "Oklahoma
Workforce Transformation Act".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 901 of Title 40, unless there is
created a duplication in numbering, reads as follows:

As used in this act:

1. "Commission" means the Oklahoma Workforce Commission;

1 2. "Person" means any individual, group of individuals, or any
2 partnership, corporation, association, cooperative, or employee
3 thereof, or any other legal entity; and

4 3. "Governor's Council for Workforce and Economic Development"
5 means the State's Workforce Investment Board established under the
6 authority of Executive Order 2005-27 and Section 5003.10d of Title
7 74 of the Oklahoma Statutes.

8 SECTION 3. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 902 of Title 40, unless there is
10 created a duplication in numbering, reads as follows:

11 There is hereby created the Oklahoma Workforce Commission. The
12 purpose of the Commission is to coordinate the development of the
13 workforce needed to grow Oklahoma's economy and Oklahomans'
14 prosperity. To accomplish this purpose, the Commission is empowered
15 to the fullest extent permitted by law to coordinate the funding and
16 activities of each element of the state's workforce development
17 programs, systems, and entities, to achieve better alignment,
18 accountability, and results for the state's workforce development
19 efforts, and to act as the principal point of contact regarding
20 workforce development for public officials, businesses, and the
21 public.

22 SECTION 4. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 903 of Title 40, unless there is
24 created a duplication in numbering, reads as follows:

1 A. The Oklahoma Workforce Commission shall consist of nine (9)
2 members. The nine members shall be representatives of private
3 sector companies which do business in this state:

4 1. Three members to be appointed by the President Pro Tempore
5 of the Senate;

6 2. Three members to be appointed by the Speaker of the House of
7 Representatives; and

8 3. Three members to be appointed by the Governor.

9 B. The members of the Commission shall:

10 1. Be at least twenty-five (25) years of age;

11 2. Have at least three (3) years of experience working in the
12 private sector; and

13 3. Not be employed by any government entity or have been
14 employed by a government entity within the preceding five-year
15 period.

16 C. For the initial appointments of Commissioners, each
17 appointing authority shall make one appointment for a one-year term,
18 one appointment for a two-year term, and one appointment for a
19 three-year term. Thereafter, the terms of the Commissioners shall
20 be for three (3) years.

21 D. Vacancies on the Commission shall be filled for the
22 unexpired term of office in the same manner as the original
23 appointment. The appointed members shall be removed from office by
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1 a majority vote of the three appointing authorities in a manner
2 prescribed by law.

3 E. A chairperson and a vice chairperson shall be elected by a
4 majority vote of the Commissioners. The Chair shall preside over
5 meetings of the Commission and perform duties as may be required by
6 the Commission. The first meeting of the Commission shall be called
7 by the chairperson no later than sixty (60) days after the effective
8 date of this act.

9 F. No member of the Commission shall receive a salary for
10 duties performed as a member of the Commission; however, members are
11 eligible to receive reimbursement for expenses and travel
12 reimbursement as provided for in the State Travel Reimbursement Act.

13 G. Members serving on the Commission shall be eligible to serve
14 on any other state board or commission if such member is otherwise
15 qualified to hold such appointed office, notwithstanding the
16 provisions of Section 6 of Title 51 of the Oklahoma Statutes.

17 H. A quorum of five members shall be required to conduct
18 official business of the Commission.

19 SECTION 5. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 904 of Title 40, unless there is
21 created a duplication in numbering, reads as follows:

22 The Oklahoma Workforce Commission shall have the following
23 power, duties, and responsibilities:

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- 1 1. To administer the provisions of this act or any duty as
2 directed by statute;
- 3 2. To establish an office for the Commission within this state;
- 4 3. To elect a chairperson and a vice chairperson and whatever
5 other officers may be necessary to direct operations of the
6 Commission;
- 7 4. To employ or contract for personnel and administrative
8 support as shall be deemed necessary to carry out the purpose and
9 provisions of this act, including but not limited to a nonprofit
10 corporation to carry out the Commission's objectives, an Executive
11 Director or other chief executive officer, and to prescribe their
12 duties and fix their compensation;
- 13 5. To establish and administer the Workforce Development
14 Revolving Fund;
- 15 6. To approve or disapprove the budget of the Commission;
- 16 7. To promulgate rules to carry out the provisions of this act;
- 17 8. To enter into contracts or agreements for studies,
18 professional services, grant administration and procurement,
19 research projects, supplies, or any other services the Commission
20 deems necessary to carry out its purpose, and to incur those
21 expenses necessary to carry out those purposes;
- 22 9. To cooperate with any private, local state or national
23 commission, organization, agency, or group and to make contracts and
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1 agreements for joint programs beneficial to Oklahoma's workforce
2 development efforts;

3 10. To accept donations, grants, contributions, and gifts from
4 any public or private source and deposit such in the Workforce
5 Development Revolving Fund, created in Section 7 of this act;

6 11. To approve or disapprove the investment of any monies in
7 the Workforce Development Revolving Fund; and

8 12. To oversee and direct to the extent permitted by law the
9 activities and administration of the Governor's Council for
10 Workforce and Economic Development, including but not limited to the
11 creation and submission of state plans to the federal government
12 pursuant to the provisions of the Workforce Innovation and
13 Opportunity Act.

14 SECTION 6. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 906 of Title 40, unless there is
16 created a duplication in numbering, reads as follows:

17 There is hereby created in the State Treasury a revolving fund
18 for the Oklahoma Workforce Commission to be designated the
19 "Workforce Development Revolving Fund". The fund shall be a
20 continuing fund, not subject to fiscal year limitations, and shall
21 consist of all monies transferred to the Oklahoma Workforce
22 Commission to further the purposes of this act from public
23 appropriations and donations, grants, contributions, or gifts from
24 any public or private source. All monies accruing to the credit of

1 the fund are hereby appropriated and may be budgeted and expended by
2 the Commission for the purpose of developing the state's workforce,
3 advancing the purposes of the Commission, or any other purpose
4 proposed by the Commission and consented to by the Committee.
5 Expenditures from the fund shall be made upon warrants issued by the
6 State Treasurer against claims filed as prescribed by law with the
7 Director of the Office of Management and Enterprise Services for
8 approval and payment.

9 SECTION 7. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 907 of Title 40, unless there is
11 created a duplication in numbering, reads as follows:

12 A. The Commission may invest its funds only in obligations of
13 the United States or any agency thereof, in general obligations of
14 any state, in any interest-bearing account or certificate of deposit
15 of a bank that is a member of the Federal Reserve System, or in
16 obligations fully guaranteed as to principal and interest by the
17 United States.

18 B. The Commission shall be prohibited from utilizing any funds
19 for the purpose of influencing governmental action or policy, with
20 the exception of recommending amendments to this act, and for
21 purposes of obtaining state or federal funding for the Commission's
22 activities.

23 SECTION 8. 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 Senate the 7th day of March, 2023.

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Presiding Officer of the Senate

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7 Passed the House of Representatives the ____ day of _____,
8 2023.

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Presiding Officer of the House
of Representatives

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