SB170
166660-5
By Senator Holley
RFD: Governmental Affairs
First Read: 10-MAR-15
ENROLLED, An Act,

To create the construction industry Craft Training Program and the Craft Training Board to be administered within the existing Alabama Building Commission, or successor agency or department; to establish a fee in the amount of one dollar ($1) per each one thousand dollars ($1,000) of construction authorized on the issuance of any nonresidential construction building permit in order to implement the program; and to establish and define the powers and duties of the Craft Training Board.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For purposes of this act, the following terms have the following meanings:

(1) CONSTRUCTION INDUSTRY CRAFT TRAINING FEES. Revenues received by the state in the form of federal, state, local, or private sector grants for the purpose of funding construction industry craft training programs and fees imposed under Section 4 except this subdivision may not be construed as authorizing the collection of fees. No fee from any licensed home builder, as defined in Chapter 14A of Title 34, Code of Alabama 1975; any subcontractor working on a residential construction site including renovations to any
residential structure; or from any person or entity specifically exempt under Chapter 14A of Title 34, Code of Alabama 1975, except for subdivision (3) of Section 34-14A-6, Code of Alabama 1975.

(2) CONSTRUCTION INDUSTRY CRAFT TRAINING PROGRAM. A program to be administered within the Alabama Building Commission, or successor agency or department.

Section 2. The Craft Training Fund is created for the benefit of the State of Alabama and its citizens and shall continue to exist as a special fund in the State Treasury and shall be funded with the construction industry craft training fees and administered solely in accordance with Section 3 and the decisions of the Craft Training Board. The revenue received by the fund shall be invested by the State Treasurer in permitted investments until the Craft Training Board uses money for the purposes established in that section. Earnings on permitted investments shall remain a part of the fund.

Section 3. (a) It is the intent of the Legislature to establish and provide for a coordinated effort between the construction industry and institutions of higher education and other entities, including, but not limited to, union training programs, to enhance the availability and quality of programs which promote construction industry craft training and education, and thereby enhance the availability and competence of the work force for supporting the industry.
(b) In order to provide for efficient, competent, and resourceful construction industry craft training programs that will deliver the knowledge and skills necessary for persons to learn and meet the skill requirements for a craft and career in the construction industry trades and thereby enhance the development of a quality labor pool to support the construction industry of this state, there is established within the Alabama Building Commission, or successor agency or department, a program to be known as the Alabama Construction Industry Craft Training Program. The program shall be managed and governed by the Craft Training Board which shall consist of seven members selected as follows:

(1) Two voting members appointed by the Governor from a list of six members, or member representatives, of the Associated Builders and Contractors of Alabama, Incorporated, or its successor, submitted to the Governor by the Associated Builders and Contractors of Alabama, Incorporated.

(2) Two voting members appointed by the Governor from a list of six members, or member representatives, of the Associated General Contractors of America, Incorporated, or its successor, submitted to the Governor by the Associated General Contractors of America, Incorporated.

(3) One voting member appointed by the Governor from a list of three members, or member representatives, of the Subcontractors Association of Alabama, or its successor,
submitted to the Governor by the Subcontractors Association of Alabama.

(4) One voting member appointed by the Governor from a list of three members, or member representatives, of the Birmingham Construction Industry Authority, or its successor, submitted to the Governor by the Birmingham Construction Industry Authority.

(5) One voting member to be appointed by the Governor from a list of three members, or member representatives, of the Construction Users Roundtable, or its successor, submitted to the Governor by the Construction Users Roundtable.

(c) When a craft training board member resigns or otherwise relinquishes membership in the organization that recommended his or her appointment by the Governor, the resignation or relinquishment shall automatically result in forfeiture of membership on the board. Any vacancy on the board shall be filled by appointment by the Governor upon the recommendation of the relevant organization for the remainder of the unexpired term.

(d) Appointments to the craft training board shall be made by October 15, 2015. Each board member shall serve for a three-year term and until a successor is appointed, qualified, and assumes office. Board members shall be ineligible for reappointment. The organizational meeting of
the board shall be held during the last 10 days of October 2015 at the time and place determined by the board members representing the Alabama Associated General Contractors of America, Incorporated. At the first meeting, the craft training board shall elect its chair and officers. Thereafter, the board shall determine its meeting schedule. The board shall meet at least quarterly. No member shall draw any salary for any service he or she may render or for any duty he or she may perform in connection with the board, but shall be entitled to reimbursement of reasonable expenses incurred that are directly related to the duties in serving as a member of the board. The membership of the board shall be inclusive and reflect the racial, gender, geographic, urban/rural and economic diversity of the state. The board may also appoint geographically oriented advisory committees and invite local employers and employees in the construction industry to relate specific labor force problems that may be solved by the craft training program. The advisory committees may be composed of individuals who are not craft training board members.

(e) In addition to any other power established pursuant to this act, the craft training board shall have the following powers to be exercised in its discretion:

(1) To develop curricula for use in craft training programs.
(2) To establish forms, criteria, guidelines, and procedures regarding construction industry craft training programs and procedures to be used in requesting appropriations of funds from the Craft Training Fund.

(3) To solicit and receive from institutions of higher education and other entities, including, but not limited to, union training programs, applications for use of monies in the Craft Training Fund, to be used in the implementation of craft training programs and in accordance with this act.

(4) To disburse funds from the Craft Training Fund consistent with this section and which the Craft Training Board deems appropriate and under such conditions and terms as the Craft Training Board deems appropriate.

(5) To provide grants to educational, governmental, nonprofit, community-based, workforce development, economic development, and other organizations and associations engaged in the education, training, and professional development of persons engaged in activities leading to the furtherance of careers in nonresidential construction in accordance with the purposes of this act and which the Craft Training Board deems appropriate, and under such conditions and terms as the Craft Training Board deems appropriate.

(f) The Craft Training Board shall have exclusive control over the expenditure of all funds in the Craft
Training Fund, as well as the exclusive authority to exercise
the powers specifically listed in subsection (e). A majority
of the members of the Craft Training Board shall constitute a
quorum for the transaction of any and all business of the
Craft Training Board. The director, technical staff, and
support personnel of the Alabama Building Commission, or
successor agency or department, shall implement the
resolutions and decisions of the Craft Training Board. The
Craft Training Board shall be responsible for reimbursing the
Alabama Building Commission, or successor agency or
department, from the Craft Training Fund the costs it incurs
in order to administer the program.

Section 4. (a) In order to fund the construction
industry craft training program, a fee in the amount of one
dollar ($1) per each one thousand dollars ($1,000) of
construction authorized on the issuance of any nonresidential
construction building permit issued by any county, city, town,
or other political subdivision of this state is imposed.

(b) The office of the political subdivision issuing
the permit shall be responsible for collecting the fee and
remitting it monthly to the Alabama Building Commission.

(c) There shall be appropriated to the Alabama
Building Commission as a first charge against the revenues
from the fee imposed by this section an amount that will
offset its actual costs in the administration and regulation
of this fee. The net proceeds received pursuant to this section shall be deposited in the Craft Training Fund and shall be used exclusively at the direction of the Craft Training Board.

(d) The proceeds from fees collected and deposited into the craft training fund are appropriated for the purposes of this act, to be expended, in whole or in part, by the Craft Training Board.

Section 5. This act shall become effective October 1, 2016, following its passage and approval by the Governor, or its otherwise becoming law.
President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB170
Senate 02-APR-15
I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris
Secretary

House of Representatives
Amended and passed 28-MAY-15

Senate concurred in House amendment 28-MAY-15

By: Senator Holley