

1 SB170
2 166660-5
3 By Senator Holley
4 RFD: Governmental Affairs
5 First Read: 10-MAR-15

1 SB170

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4 ENROLLED, An Act,

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

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

17 (1) CONSTRUCTION INDUSTRY CRAFT TRAINING FEES.

18 Revenues received by the state in the form of federal, state,
19 local, or private sector grants for the purpose of funding
20 construction industry craft training programs and fees imposed
21 under Section 4 except this subdivision may not be construed
22 as authorizing the collection of fees. No fee from any
23 licensed home builder, as defined in Chapter 14A of Title 34,
24 Code of Alabama 1975; any subcontractor working on a
25 residential construction site including renovations to any

1 residential structure; or from any person or entity
2 specifically exempt under Chapter 14A of Title 34, Code of
3 Alabama 1975, except for subdivision (3) of Section 34-14A-6,
4 Code of Alabama 1975.

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

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

18 Section 3. (a) It is the intent of the Legislature
19 to establish and provide for a coordinated effort between the
20 construction industry and institutions of higher education and
21 other entities, including, but not limited to, union training
22 programs, to enhance the availability and quality of programs
23 which promote construction industry craft training and
24 education, and thereby enhance the availability and competence
25 of the work force for supporting the industry.

1 (b) In order to provide for efficient, competent,
2 and resourceful construction industry craft training programs
3 that will deliver the knowledge and skills necessary for
4 persons to learn and meet the skill requirements for a craft
5 and career in the construction industry trades and thereby
6 enhance the development of a quality labor pool to support the
7 construction industry of this state, there is established
8 within the Alabama Building Commission, or successor agency or
9 department, a program to be known as the Alabama Construction
10 Industry Craft Training Program. The program shall be managed
11 and governed by the Craft Training Board which shall consist
12 of seven members selected as follows:

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

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

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

1 submitted to the Governor by the Subcontractors Association of
2 Alabama.

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

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

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

21 (d) Appointments to the craft training board shall
22 be made by October 15, 2015. Each board member shall serve for
23 a three-year term and until a successor is appointed,
24 qualified, and assumes office. Board members shall be
25 ineligible for reappointment. The organizational meeting of

1 the board shall be held during the last 10 days of October
2 2015 at the time and place determined by the board members
3 representing the Alabama Associated General Contractors of
4 America, Incorporated. At the first meeting, the craft
5 training board shall elect its chair and officers. Thereafter,
6 the board shall determine its meeting schedule. The board
7 shall meet at least quarterly. No member shall draw any salary
8 for any service he or she may render or for any duty he or she
9 may perform in connection with the board, but shall be
10 entitled to reimbursement of reasonable expenses incurred that
11 are directly related to the duties in serving as a member of
12 the board. The membership of the board shall be inclusive and
13 reflect the racial, gender, geographic, urban/rural and
14 economic diversity of the state. The board may also appoint
15 geographically oriented advisory committees and invite local
16 employers and employees in the construction industry to relate
17 specific labor force problems that may be solved by the craft
18 training program. The advisory committees may be composed of
19 individuals who are not craft training board members.

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

23 (1) To develop curricula for use in craft training
24 programs.

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

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

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

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

24 (f) The Craft Training Board shall have exclusive
25 control over the expenditure of all funds in the Craft

1 Training Fund, as well as the exclusive authority to exercise
2 the powers specifically listed in subsection (e). A majority
3 of the members of the Craft Training Board shall constitute a
4 quorum for the transaction of any and all business of the
5 Craft Training Board. The director, technical staff, and
6 support personnel of the Alabama Building Commission, or
7 successor agency or department, shall implement the
8 resolutions and decisions of the Craft Training Board. The
9 Craft Training Board shall be responsible for reimbursing the
10 Alabama Building Commission, or successor agency or
11 department, from the Craft Training Fund the costs it incurs
12 in order to administer the program.

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

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

22 (c) There shall be appropriated to the Alabama
23 Building Commission as a first charge against the revenues
24 from the fee imposed by this section an amount that will
25 offset its actual costs in the administration and regulation

1 of this fee. The net proceeds received pursuant to this
2 section shall be deposited in the Craft Training Fund and
3 shall be used exclusively at the direction of the Craft
4 Training Board.

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

9 Section 5. This act shall become effective October
10 1, 2016, following its passage and approval by the Governor,
11 or its otherwise becoming law.

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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