

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

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

23 (1) CONSTRUCTION INDUSTRY CRAFT TRAINING FEES.

24 Revenues received by the state in the form of federal, state,
25 local, or private sector grants for the purpose of funding
26 construction industry craft training programs and fees imposed
27 under Section 4 except this subdivision may not be construed

1 as authorizing the collection of fees. No fee from any
2 licensed home builder, as defined in Chapter 14A of Title 34,
3 Code of Alabama 1975; any subcontractor working on a
4 residential construction site including renovations to any
5 residential structure; or from any person or entity
6 specifically exempt under Chapter 14A of Title 34, Code of
7 Alabama 1975, except for subdivision (3) of Section 34-14A-6,
8 Code of Alabama 1975.

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

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

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

1 education, and thereby enhance the availability and competence
2 of the work force for supporting the industry.

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

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

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

25 (3) One voting member appointed by the Governor from
26 a list of three members, or member representatives, of the
27 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
26 the board shall be held during the last 10 days of October
27 2015 at the time and place determined by the board members

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

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

19 (1) To develop curricula for use in craft training
20 programs.

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

25 (3) To solicit and receive from institutions of
26 higher education and other entities, including, but not
27 limited to, union training programs, applications for use of

1 monies in the Craft Training Fund, to be used in the
2 implementation of craft training programs and in accordance
3 with this act.

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

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

17 (f) The Craft Training Board shall have exclusive
18 control over the expenditure of all funds in the Craft
19 Training Fund, as well as the exclusive authority to exercise
20 the powers specifically listed in subsection (e). A majority
21 of the members of the Craft Training Board shall constitute a
22 quorum for the transaction of any and all business of the
23 Craft Training Board. The director, technical staff, and
24 support personnel of the Alabama Building Commission, or
25 successor agency or department, shall implement the
26 resolutions and decisions of the Craft Training Board. The
27 Craft Training Board shall be responsible for reimbursing the

1 Alabama Building Commission, or successor agency or
2 department, from the Craft Training Fund the costs it incurs
3 in order to administer the program.

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

10 (b) The office of the political subdivision issuing
11 the permit shall be responsible for collecting the fee and
12 remitting it monthly to the Department of Revenue.

13 (c) There shall be appropriated to the Department of
14 Revenue as a first charge against the revenues from the fee
15 imposed by this section an amount that will offset its actual
16 costs in the administration and regulation of this fee, which
17 shall not exceed five percent of the proceeds produced by such
18 fee. The net proceeds received pursuant to this section shall
19 be deposited in the Craft Training Fund and shall be used
20 exclusively at the direction of the Craft Training Board.

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

25 Section 5. This act shall become effective following
26 its passage and approval by the Governor, or its otherwise
27 becoming law.

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Senate

Read for the first time and referred to
the Senate committee on Governmental Affairs..... 10-MAR-15

Read for the second time and placed on
the calendar with 1 substitute and..... 31-MAR-15

Read for the third time and passed as
amended 02-APR-15

Yeas 29
Nays 0

Patrick Harris
Secretary