

WORK-BASED LEARNING AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Howard A. Stephenson

House Sponsor: Val L. Peterson

Cosponsor: Jacob L. Anderegg

LONG TITLE

General Description:

This bill amends provisions related to the Career and Technical Education Board.

Highlighted Provisions:

This bill:

- ▶ moves the Career and Technical Education Board from the Department of Workforce Services to the Governor's Office of Economic Development;
- ▶ amends membership of the Career and Technical Education Board;
- ▶ provides for the Career and Technical Education Board to study and make recommendations related to work-based learning; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2018:

- ▶ to the Governor's Office of Economic Development, as a one-time appropriation:
 - from the General Fund, \$9,500.

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63I-1-235, as last amended by Laws of Utah 2016, Chapter 43

63I-1-263, as last amended by Laws of Utah 2016, Chapters 65, 136, 156, 322, and 408

29 RENUMBERS AND AMENDS:

30 **63N-12-401**, (Renumbered from 35A-5-401, as enacted by Laws of Utah 2015, Chapter
31 273)

32 **63N-12-402**, (Renumbered from 35A-5-402, as last amended by Laws of Utah 2016,
33 Chapter 236)

34 **63N-12-403**, (Renumbered from 35A-5-403, as enacted by Laws of Utah 2015, Chapter
35 273)



37 *Be it enacted by the Legislature of the state of Utah:*

38 Section 1. Section **63I-1-235** is amended to read:

39 **63I-1-235. Repeal dates, Title 35A.**

40 [(+) Subsection **35A-4-312**(5)(p) is repealed July 1, 2017.

41 [~~(2) Title 35A, Chapter 5, Part 4, Career and Technical Education Board, is repealed
42 July 1, 2018.~~]

43 Section 2. Section **63I-1-263** is amended to read:

44 **63I-1-263. Repeal dates, Titles 63A to 63N.**

45 (1) Subsection **63A-5-104**(4)(h) is repealed on July 1, 2024.

46 (2) Section **63A-5-603**, State Facility Energy Efficiency Fund, is repealed July 1, 2023.

47 (3) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July
48 1, 2018.

49 (4) Title 63C, Chapter 4b, Commission for the Stewardship of Public Lands, is
50 repealed November 30, 2019.

51 (5) Title 63C, Chapter 16, Prison Development Commission Act, is repealed July 1,
52 2020.

53 (6) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is
54 repealed July 1, 2021.

55 (7) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1,
56 2020.

- 57 (8) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.
- 58 (9) On July 1, 2025:
- 59 (a) in Subsection 17-27a-404(3)(c)(ii), the language that states "the Resource
- 60 Development Coordinating Committee," is repealed;
- 61 (b) Subsection 23-14-21(2)(c) is amended to read "(c) provide notification of proposed
- 62 sites for the transplant of species to local government officials having jurisdiction over areas
- 63 that may be affected by a transplant.";
- 64 (c) in Subsection 23-14-21(3), the language that states "and the Resource Development
- 65 Coordinating Committee" is repealed;
- 66 (d) in Subsection 23-21-2.3(1), the language that states "the Resource Development
- 67 Coordinating Committee created in Section 63J-4-501 and" is repealed;
- 68 (e) in Subsection 23-21-2.3(2), the language that states "the Resource Development
- 69 Coordinating Committee and" is repealed;
- 70 (f) Subsection 63J-4-102(1) is repealed and the remaining subsections are renumbered
- 71 accordingly;
- 72 (g) Subsections 63J-4-401(5)(a) and (c) are repealed;
- 73 (h) Subsection 63J-4-401(5)(b) is renumbered to Subsection 63J-4-401(5)(a) and the
- 74 word "and" is inserted immediately after the semicolon;
- 75 (i) Subsection 63J-4-401(5)(d) is renumbered to Subsection 63J-4-401(5)(b);
- 76 (j) Sections 63J-4-501, 63J-4-502, 63J-4-503, 63J-4-504, and 63J-4-505 are repealed;
- 77 and
- 78 (k) Subsection 63J-4-603(1)(e)(iv) is repealed and the remaining subsections are
- 79 renumbered accordingly.
- 80 (10) The Crime Victim Reparations and Assistance Board, created in Section
- 81 63M-7-504, is repealed July 1, 2017.
- 82 (11) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2017.
- 83 (12) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2018.
- 84 (13) (a) Title 63N, Chapter 2, Part 4, Recycling Market Development Zone Act, is

85 repealed January 1, 2021.

86 (b) Subject to Subsection (13)(c), Sections 59-7-610 and 59-10-1007 regarding tax
87 credits for certain persons in recycling market development zones, are repealed for taxable
88 years beginning on or after January 1, 2021.

89 (c) A person may not claim a tax credit under Section 59-7-610 or 59-10-1007:

90 (i) for the purchase price of machinery or equipment described in Section 59-7-610 or
91 59-10-1007, if the machinery or equipment is purchased on or after January 1, 2021; or

92 (ii) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), if
93 the expenditure is made on or after January 1, 2021.

94 (d) Notwithstanding Subsections (13)(b) and (c), a person may carry forward a tax
95 credit in accordance with Section 59-7-610 or 59-10-1007 if:

96 (i) the person is entitled to a tax credit under Section 59-7-610 or 59-10-1007; and

97 (ii) (A) for the purchase price of machinery or equipment described in Section
98 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before December 31,
99 2020; or

100 (B) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), the
101 expenditure is made on or before December 31, 2020.

102 (14) Section 63N-2-512 is repealed on July 1, 2021.

103 (15) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed
104 January 1, 2021.

105 (b) Section 59-9-107 regarding tax credits against premium taxes is repealed for
106 calendar years beginning on or after January 1, 2021.

107 (c) Notwithstanding Subsection (15)(b), an entity may carry forward a tax credit in
108 accordance with Section 59-9-107 if:

109 (i) the person is entitled to a tax credit under Section 59-9-107 on or before December
110 31, 2020; and

111 (ii) the qualified equity investment that is the basis of the tax credit is certified under
112 Section 63N-2-603 on or before December 31, 2023.

113 (16) Title 63N, Chapter 12, Part 3, Utah Broadband Outreach Center, is repealed July
114 1, 2018.

115 (17) Title 63N, Chapter 12, Part 4, Career and Technical Education Board, is repealed
116 July 1, 2018.

117 Section 3. Section **63N-12-401**, which is renumbered from Section 35A-5-401 is
118 renumbered and amended to read:

119 **Part 4. Career and Technical Education Board**

120 ~~[35A-5-401].~~ **63N-12-401. Definitions.**

121 As used in this part:

122 (1) "CTE" means career and technical education.

123 (2) "CTE Board" means the Career and Technical Education Board created in Section
124 ~~[35A-5-402]~~ 63N-12-402.

125 Section 4. Section **63N-12-402**, which is renumbered from Section 35A-5-402 is
126 renumbered and amended to read:

127 ~~[35A-5-402].~~ **63N-12-402. Career and Technical Education Board creation**
128 **-- Membership.**

129 (1) There is created the Career and Technical Education Board, within ~~[the department]~~
130 GOED, composed of the following members:

131 (a) the state superintendent of public instruction or the state superintendent of public
132 instruction's designee;

133 (b) the commissioner of higher education or the commissioner of higher education's
134 designee;

135 (c) the ~~[Utah College of Applied Technology]~~ commissioner of technical education, as
136 defined in Section 53B-2a-101, or the ~~[Utah College of Applied Technology]~~ commissioner of
137 technical education's designee;

138 (d) the executive director of the ~~[department]~~ Department of Workforce Services or the
139 executive director of the department's designee;

140 (e) the executive director of ~~[the Governor's Office of Economic Development]~~ GOED

141 or the executive director of [~~the Governor's Office of Economic Development's~~] GOED's
142 designee;

143 (f) one member of the governor's staff, appointed by the governor;

144 (g) five private sector members, representing business or industry that employs
145 individuals who hold certificates issued by a CTE program, appointed by the governor;

146 (h) [~~a member~~] two members of the Senate, appointed by the president of the Senate;
147 and

148 (i) [~~a member~~] two members of the House of Representatives, appointed by the speaker
149 of the House of Representatives.

150 (2) The CTE Board shall select a chair and vice chair from among the members of the
151 CTE Board.

152 (3) The CTE Board shall meet at least quarterly.

153 (4) Attendance of a simple majority of the members of the CTE Board constitutes a
154 quorum for the transaction of official CTE Board business.

155 (5) Formal action by the CTE Board requires the majority vote of a quorum.

156 (6) A member of the CTE Board:

157 (a) may not receive compensation or benefits for the member's service; and

158 (b) who is not a legislator may receive per diem and travel expenses in accordance

159 with:

160 (i) Section 63A-3-106;

161 (ii) Section 63A-3-107; and

162 (iii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
163 63A-3-107.

164 Section 5. Section **63N-12-403**, which is renumbered from Section 35A-5-403 is
165 renumbered and amended to read:

166 [~~35A-5-403~~]. **63N-12-403. Career and Technical Education Board --**
167 **Duties.**

168 (1) The CTE Board shall conduct a comprehensive study of CTE in Utah that includes:

- 169 (a) an inventory of all CTE programs in Utah, including, for each CTE program:
- 170 (i) a description of the program;
- 171 (ii) the number of students the program has the capacity to serve each year;
- 172 (iii) the number of students the program has served since October 1, 2010, by school
- 173 year;
- 174 (iv) the number of certificates the program has issued since October 1, 2010, by school
- 175 year;
- 176 (v) a materials and equipment inventory for the program;
- 177 (vi) the amount of funding dedicated to the program;
- 178 (vii) the program's geographic location;
- 179 (viii) employment information for students who have completed the program since
- 180 October 1, 2010, if practical and feasible; and
- 181 (ix) the extent to which overlap or duplication exists between the program and other
- 182 CTE or private programs;
- 183 (b) a description of CTE funding in the state, including:
- 184 (i) the total amount of state CTE funding provided to:
- 185 (A) the public education system;
- 186 (B) the higher education system; and
- 187 (C) the Utah College of Applied Technology; and
- 188 (ii) for each CTE program:
- 189 (A) total CTE funding received; and
- 190 (B) the cost per student served;
- 191 (c) an assessment of Utah business and industry needs for employees with skills taught
- 192 in CTE classes, including:
- 193 (i) the number of current and anticipated jobs in Utah, by geographic region, and the
- 194 CTE skills required for the jobs;
- 195 (ii) the starting and average salary, by geographic region and type of CTE skills, for an
- 196 individual who has skills taught in a CTE program; and

197 (iii) the extent to which current CTE programs can meet the employment needs of Utah
198 business and industry; and

199 (d) any other information the CTE Board considers relevant to the study.

200 (2) In conducting the comprehensive study described in Subsection (1), the CTE Board
201 shall coordinate with the Office of the Legislative Auditor General and, to the extent possible,
202 use data collected by the Office of the Legislative Auditor General to complete the study.

203 (3) (a) The State Board of Education, State Board of Regents, and Utah College of
204 Applied Technology shall:

205 (i) provide data that the department requests for the study; and

206 (ii) coordinate with the department to conduct the study.

207 (b) Notwithstanding the requirements in Subsection (3)(a), the ~~[board]~~ State Board of
208 Education shall have discretion to gather and report information as part of the comprehensive
209 study of CTE that is readily accessible through current financial and data systems.

210 (4) The CTE Board may:

211 (a) contract with a third party, in accordance with Title 63G, Chapter 6a, Utah
212 Procurement Code, to conduct the comprehensive study described in Subsection (1); and

213 (b) as funding allows, hire staff.

214 (5) During 2017, the CTE Board shall study work-based learning, including:

215 (a) successful work-based learning programs or related programs in other states or
216 countries for high school students that successfully align career and technical education with
217 real-world skills, opportunities for high-paying jobs, and ongoing education opportunities upon
218 graduation;

219 (b) the potential benefits and challenges of a statewide work-based learning program
220 for high schools, including on-the-job training as part of a potential statewide program for high
221 school students; and

222 (c) the opportunities for and challenges of cooperation between government agencies
223 and the private business community in a statewide work-based learning program.

224 [~~5~~] (6) Based on the comprehensive study described in Subsection (1) and the study

225 of work-based learning described in Section (5), the CTE Board shall make written
226 recommendations to the Legislature related to:

227 ~~[(a) CTE funding;]~~
228 ~~[(b) CTE governance and administration;]~~
229 ~~[(c) benchmarks or criteria for a CTE program to demonstrate that the CTE program~~
230 ~~fills;]~~

231 ~~[(i) an educational need for a student;]~~
232 ~~[(ii) a school's need to offer a particular CTE program; or]~~
233 ~~[(iii) an employment need for a Utah business or industry; and]~~
234 ~~[(d) any other CTE-related recommendations;]~~

235 (a) career and technical education; and
236 (b) work-based learning programs.

237 ~~[(6)]~~ (7) (a) On or before November 1, 2015, the CTE Board shall report on the
238 progress of the comprehensive study described in Subsection (1).

239 (b) On or before November 1, 2016, the CTE Board shall report on the final results of
240 the comprehensive study described in Subsection (1)~~;~~ ~~and~~.

241 (c) On or before ~~[November]~~ October 1, 2017, the CTE Board shall prepare a written
242 report on the recommendations described in Subsection ~~[(5)]~~ (6).

243 (d) The CTE Board shall ~~[make]~~ provide the reports described in this Subsection ~~[(6)]~~
244 (7) to:

- 245 (i) the Education Interim Committee;
- 246 (ii) the Executive Appropriations Committee;
- 247 (iii) the Economic Development and Workforce Services Interim Committee;
- 248 ~~[(iii)]~~ (iv) the governor;
- 249 ~~[(iv)]~~ (v) the State Board of Education;
- 250 ~~[(v)]~~ (vi) the State Board of Regents; and
- 251 ~~[(vi)]~~ (vii) the Utah College of Applied Technology Board of Trustees.

252 Section 6. **Appropriation.**

253 The following sums of money are appropriated for the fiscal year beginning July 1,
254 2017, and ending June 30, 2018. These are additions to amounts previously appropriated for
255 fiscal year 2018. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
256 Act, the Legislature appropriates the following sums of money from the funds or accounts
257 indicated for the use and support of the government of the state of Utah.

258 To the Governor's Office of Economic Development

259 <u>From General Fund, One-time</u>	<u>\$9,500</u>
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260 Schedule of Programs:

261 <u>Administration</u>	<u>\$9,500</u>
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262 The Legislature intends that the Governor's Office of Economic Development use the
263 appropriation under this section to administer the Career and Technical Education Board
264 described in Title 63N, Chapter 12, Part 4, Career and Technical Education Board.