

**Senator Howard A. Stephenson** proposes the following substitute bill:

**WORK-BASED LEARNING AMENDMENTS**

2017 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Howard A. Stephenson**

House Sponsor: Val L. Peterson

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**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:



26 **63I-1-235**, as last amended by Laws of Utah 2016, Chapter 43

27 **63I-1-263**, as last amended by Laws of Utah 2016, Chapters 65, 136, 156, 322, and 408

28 RENUMBERS AND AMENDS:

29 **63N-12-401**, (Renumbered from 35A-5-401, as enacted by Laws of Utah 2015, Chapter  
30 273)

31 **63N-12-402**, (Renumbered from 35A-5-402, as last amended by Laws of Utah 2016,  
32 Chapter 236)

33 **63N-12-403**, (Renumbered from 35A-5-403, as enacted by Laws of Utah 2015, Chapter  
34 273)



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

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

38 **63I-1-235. Repeal dates, Title 35A.**

39 [(+) Subsection **35A-4-312**(5)(p) is repealed July 1, 2017.

40 [~~2) Title 35A, Chapter 5, Part 4, Career and Technical Education Board, is repealed  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

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

43 **63I-1-263. Repeal dates, Titles 63A to 63N.**

44 (1) Subsection **63A-5-104**(4)(h) is repealed on July 1, 2024.

45 (2) Section **63A-5-603**, State Facility Energy Efficiency Fund, is repealed July 1, 2023.

46 (3) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July  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

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49 repealed November 30, 2019.

50 (5) Title 63C, Chapter 16, Prison Development Commission Act, is repealed July 1,  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

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53 repealed July 1, 2021.

54 (7) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1,  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

56 (8) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.

57 (9) On July 1, 2025:

58 (a) in Subsection 17-27a-404(3)(c)(ii), the language that states "the Resource  
59 Development Coordinating Committee," is repealed;

60 (b) Subsection 23-14-21(2)(c) is amended to read "(c) provide notification of proposed  
61 sites for the transplant of species to local government officials having jurisdiction over areas  
62 that may be affected by a transplant.";

63 (c) in Subsection 23-14-21(3), the language that states "and the Resource Development  
64 Coordinating Committee" is repealed;

65 (d) in Subsection 23-21-2.3(1), the language that states "the Resource Development  
66 Coordinating Committee created in Section 63J-4-501 and" is repealed;

67 (e) in Subsection 23-21-2.3(2), the language that states "the Resource Development  
68 Coordinating Committee and" is repealed;

69 (f) Subsection 63J-4-102(1) is repealed and the remaining subsections are renumbered  
70 accordingly;

71 (g) Subsections 63J-4-401(5)(a) and (c) are repealed;

72 (h) Subsection 63J-4-401(5)(b) is renumbered to Subsection 63J-4-401(5)(a) and the  
73 word "and" is inserted immediately after the semicolon;

74 (i) Subsection 63J-4-401(5)(d) is renumbered to Subsection 63J-4-401(5)(b);

75 (j) Sections 63J-4-501, 63J-4-502, 63J-4-503, 63J-4-504, and 63J-4-505 are repealed;  
76 and

77 (k) Subsection 63J-4-603(1)(e)(iv) is repealed and the remaining subsections are  
78 renumbered accordingly.

79 (10) The Crime Victim Reparations and Assistance Board, created in Section  
80 63M-7-504, is repealed July 1, 2017.

81 (11) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2017.

82 (12) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2018.

83 (13) (a) Title 63N, Chapter 2, Part 4, Recycling Market Development Zone Act, is  
84 repealed January 1, 2021.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

119 ~~[35A-5-401].~~ 63N-12-401. Definitions.

120 As used in this part:

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

122 (2) "CTE Board" means the Career and Technical Education Board created in Section

123 ~~[35A-5-402]~~ 63N-12-402.

124 Section 4. Section 63N-12-402, which is renumbered from Section 35A-5-402 is

125 renumbered and amended to read:

126 ~~[35A-5-402].~~ 63N-12-402. Career and Technical Education Board creation

127 -- **Membership.**

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

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

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

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

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

139 (e) the executive director of ~~[the Governor's Office of Economic Development]~~ GOED  
140 or the executive director of ~~[the Governor's Office of Economic Development's]~~ GOED's  
141 designee;

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

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

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

146 and

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

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

150 CTE Board.

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

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

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

155 (6) A member of the CTE Board:

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

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

158 with:

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

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

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

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

165 ~~[35A-5-403]~~. 63N-12-403. Career and Technical Education Board --

166 **Duties.**

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

168 (a) an inventory of all CTE programs in Utah, including, for each CTE program:

169 (i) a description of the program;

170 (ii) the number of students the program has the capacity to serve each year;

171 (iii) the number of students the program has served since October 1, 2010, by school  
172 year;

173 (iv) the number of certificates the program has issued since October 1, 2010, by school  
174 year;

175 (v) a materials and equipment inventory for the program;

176 (vi) the amount of funding dedicated to the program;

177 (vii) the program's geographic location;

178 (viii) employment information for students who have completed the program since  
179 October 1, 2010, if practical and feasible; and

180 (ix) the extent to which overlap or duplication exists between the program and other

181 CTE or private programs;

182 (b) a description of CTE funding in the state, including:

183 (i) the total amount of state CTE funding provided to:

184 (A) the public education system;

185 (B) the higher education system; and

186 (C) the Utah College of Applied Technology; and

187 (ii) for each CTE program:

188 (A) total CTE funding received; and

189 (B) the cost per student served;

190 (c) an assessment of Utah business and industry needs for employees with skills taught

191 in CTE classes, including:

192 (i) the number of current and anticipated jobs in Utah, by geographic region, and the

193 CTE skills required for the jobs;

194 (ii) the starting and average salary, by geographic region and type of CTE skills, for an

195 individual who has skills taught in a CTE program; and

196 (iii) the extent to which current CTE programs can meet the employment needs of Utah

197 business and industry; and

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

199 (2) In conducting the comprehensive study described in Subsection (1), the CTE Board

200 shall coordinate with the Office of the Legislative Auditor General and, to the extent possible,

201 use data collected by the Office of the Legislative Auditor General to complete the study.

202 (3) (a) The State Board of Education, State Board of Regents, and Utah College of

203 Applied Technology shall:

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

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

206 (b) Notwithstanding the requirements in Subsection (3)(a), the ~~[board]~~ State Board of

207 Education shall have discretion to gather and report information as part of the comprehensive

208 study of CTE that is readily accessible through current financial and data systems.

209 (4) The CTE Board may:

210 (a) contract with a third party, in accordance with Title 63G, Chapter 6a, Utah

211 Procurement Code, to conduct the comprehensive study described in Subsection (1); and

212 (b) as funding allows, hire staff.

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

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

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

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

223 ~~[(5)]~~ (6) Based on the comprehensive study described in Subsection (1) and the study  
224 of work-based learning described in Section (5), the CTE Board shall make written  
225 recommendations to the Legislature related to:

226 ~~[(a) CTE funding;]~~

227 ~~[(b) CTE governance and administration;]~~

228 ~~[(c) benchmarks or criteria for a CTE program to demonstrate that the CTE program~~  
229 ~~fills:]~~

230 ~~[(i) an educational need for a student;]~~

231 ~~[(ii) a school's need to offer a particular CTE program; or]~~

232 ~~[(iii) an employment need for a Utah business or industry; and]~~

233 ~~[(d) any other CTE related recommendations.]~~

234 (a) career and technical education; and

235 (b) work-based learning programs.

236 ~~[(6)]~~ (7) (a) On or before November 1, 2015, the CTE Board shall report on the  
237 progress of the comprehensive study described in Subsection (1).

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

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

242 (d) The CTE Board shall ~~[make]~~ provide the reports described in this Subsection ~~[(6)]~~



243 (7) to:

244 (i) the Education Interim Committee;

245 (ii) the Executive Appropriations Committee;

246 (iii) the Economic Development and Workforce Services Interim Committee;

247 [~~(iii)~~] (iv) the governor;

248 [~~(iv)~~] (v) the State Board of Education;

249 [~~(v)~~] (vi) the State Board of Regents; and

250 [~~(vi)~~] (vii) the Utah College of Applied Technology Board of Trustees.

251 Section 6. **Appropriation.**

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

257 To the Governor's Office of Economic Development

258 From General Fund, One-time \$9,500

259 Schedule of Programs:

260 Administration \$9,500

261 The Legislature intends that the Governor's Office of Economic Development use the  
262 appropriation under this section to administer the Career and Technical Education Board  
263 described in Title 63N, Chapter 12, Part 4, Career and Technical Education Board.