

SB0263S02 compared with SB0263S01

~~{deleted text}~~ shows text that was in SB0263S01 but was deleted in SB0263S02.

Inserted text shows text that was not in SB0263S01 but was inserted into SB0263S02.

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Senator Howard A. Stephenson proposes the following substitute bill:

~~{APPRENTICESHIP}~~WORK-BASED LEARNING AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Howard A. Stephenson

House Sponsor: _____

LONG TITLE

General Description:

This bill ~~{creates}~~amends provisions related to the ~~{Business Experiential Learning Task Force}~~Career and Technical Education Board.

Highlighted Provisions:

This bill:

- ▶ ~~{creates the Business Experiential Learning Task Force (the task force);~~
- ▶ ~~describes the}~~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 ~~{task force;~~
- ▶ ~~describes the responsibilities of the task force, which include studying the:~~
- ▶ ~~alignment between high school education,}~~Career and Technical Education

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Board:

- ▶ provides for the career and technical education ~~{, and business needs in the state;~~
 - potential skill gaps that are negatively affecting the ability of graduating students to enter the workforce and fulfill the current and future needs of high-demand industry sectors in the state; and
 - potential benefits and challenges of creating a statewide apprentice program for high school students;
 - describes the reporting requirements of the task force; and
 - provides a sunset date} 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 ~~{Legislature --}~~ Governor's Office of ~~{Legislative Research and General Counsel}~~ Economic Development, as a one-time appropriation:
 - from the General Fund, \$9,500.

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

~~{63I-2-236}~~ 63I-1-235, as last amended by Laws of Utah ~~{2015, Chapters 118 and 219~~

ENACTS:

~~36-29-201, Utah Code Annotated 1953}~~ 2016, Chapter 43

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

RENUMBERS AND AMENDS:

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

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

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

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

Section 1. Section ~~{36-29-201 is enacted to read:~~

~~Part 2. Business Experiential Learning Task Force~~

~~36-29-201. Creation and duties of the Business Experiential Learning Task Force:~~

~~(1) As used in this section, "task force" means the Utah Business Experiential Task Force created in Subsection (2):~~

~~(2) There is created the Utah Business Experiential Learning Task Force composed of the following members:~~

~~(a) the executive director of the Department of Workforce Services or the executive director's designee;~~

~~(b) the executive director of the Governor's Office of Economic Development or the executive director's designee;~~

~~(c) the chair of the State Board of Education or the chair's designee;~~

~~(d) the state career and technical education director;~~

~~(e) the commissioner of technical education or the commissioner's designee;~~

~~(f) the commissioner of higher education or a designee of the commissioner who represents career and technical education for the Utah system of higher education;~~

~~(g) one member of the Senate appointed by the president of the Senate;~~

~~(h) one member of the House of Representatives appointed by the speaker of the House of Representatives;~~

~~(i) three career and technical industry leaders appointed by the president of the Senate; and~~

~~(j) four career and technical industry leaders appointed by the speaker of the House of Representatives.~~

~~(3) In appointing the career and technical industry leader members of the task force, the the president of the Senate and the speaker of the House of Representatives shall appoint business owners, chief executives of businesses, chief operations officers of businesses, other business executives or employers with optimum policy making or hiring authority, or representatives of businesses or organizations that provide employment opportunities that include work-based training and development in high-demand~~

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industry sectors in the state:

~~—— (4) The Senate member and, as selected by the president of the Senate, one industry leader appointed by the president of the Senate shall serve as cochairs of the commission.~~

~~—— (5) The cochairs:~~

~~—— (a) are responsible for the call and conduct of meetings; and~~

~~—— (b) shall call and hold at least three meetings before October 1, 2017.~~

~~—— (6) A majority of the members of the task force constitutes a quorum of the task force and the action of the majority of members present is the action of the task force.~~

~~—— (7) A member of the task force may not receive compensation or benefits for the member's service.~~

~~—— (8) The Office of Legislative Research and General Counsel shall staff the task force.~~

~~—— (9) The task force shall study:~~

~~—— (a) the alignment between high school education, career and technical education, and business needs in the state, including addressing potential skill gaps that are negatively affecting the ability of graduating students to enter the workforce and fulfill the current and future needs of high-demand industry sectors in the state;~~

~~—— (b) the alignment between career and technical educational opportunities for high school students with the current and future needs of the state's businesses;~~

~~—— (c) the potential benefits and challenges of creating a statewide apprentice program for high school students;~~

~~—— (d) successful apprentice programs or related programs in other states or countries for high school students that successfully align career and technical education with real-world skills, opportunities for high-paying jobs, and ongoing educational opportunities upon graduation;~~

~~—— (e) the potential benefits and challenges of combining high school classroom instruction, high school career and technical education programs, technical college training, and on-the-job training as part of a potential statewide apprentice program for high school students;~~

~~—— (f) the opportunities for and challenges of cooperation between government~~

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~~agencies and the private business community in creating a potential statewide apprentice program for high school students; and~~

~~—— (g) the opportunities for and challenges of better aligning the current and future needs of private businesses with high school career and technical education programs.~~

~~—— (10) On or before October 1, 2017, the task force shall provide a written report to the Economic Development and Workforce Services Interim Committee and the Education Interim Committee:~~

~~—— (a) describing the findings of the items studied by the task force as described in Subsection (9);~~

~~—— (b) recommending any steps that can be taken by the Legislature and other state and private entities to better align high school education, career and technical education, and business needs in the state to address potential skill gaps of students and to meet the current and future employment needs of businesses in the state; and~~

~~—— (c) containing an action plan for establishing a statewide apprentice program for high school students, including suggested timelines, potential benefits, and potential challenges of a statewide apprentice program.~~

~~§63I-1-235 is amended to read:~~

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

~~[(1)]~~ Subsection 35A-4-312(5)(p) is repealed July 1, 2017.

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

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

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

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

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

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

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

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

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

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

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

(9) On July 1, 2025:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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~~{Section 2. Section 63I-2-236 is amended to read:~~

~~63I-2-236. Repeal dates -- Title 36.~~

~~(1) Sections 36-28-101 through 36-28-104 are repealed July 1, 2019.~~

~~[(2) Section 36-29-102 is repealed July 1, 2016.]~~

~~(2) Section 36-29-201}~~ (17) Title 63N, Chapter 12, Part 4, Career and Technical Education Board, is repealed July 1, 2018.

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

Part 4. Career and Technical Education Board

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

As used in this part:

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

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

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

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

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

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

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

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

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

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

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designee:

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

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

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

and

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

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

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

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

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

(6) A member of the CTE Board:

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

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

with:

(i) Section 63A-3-106;

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

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

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

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

Duties.

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

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

(i) a description of the program;

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

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

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year:

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

year:

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

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

(vii) the program's geographic location;

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

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

CTE or private programs;

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

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

(A) the public education system;

(B) the higher education system; and

(C) the Utah College of Applied Technology; and

(ii) for each CTE program:

(A) total CTE funding received; and

(B) the cost per student served;

(c) an assessment of Utah business and industry needs for employees with skills taught in CTE classes, including:

(i) the number of current and anticipated jobs in Utah, by geographic region, and the CTE skills required for the jobs;

(ii) the starting and average salary, by geographic region and type of CTE skills, for an individual who has skills taught in a CTE program; and

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

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

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

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

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Applied Technology shall:

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

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

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

(4) The CTE Board may:

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

(b) as funding allows, hire staff.

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

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

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

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

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

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

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

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

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

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

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

[~~(d) any other CTE-related recommendations;~~]

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(a) career and technical education; and

(b) work-based learning programs.

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

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

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

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

(i) the Education Interim Committee;

(ii) the Executive Appropriations Committee;

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

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

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

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

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

Section 6. Appropriation.

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

To the ~~{Legislature --}~~ Governor's Office of ~~{Legislative Research and General Counsel}~~ Economic Development

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

Schedule of Programs:

Administration \$9,500

The Legislature intends that the Governor's Office of ~~{Legislative Research and General Counsel}~~ Economic Development use the appropriation under this section to ~~{carry out the study of the Business Experiential Learning Task Force described in Section 36-29-201}.~~

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administer the Career and Technical Education Board described in Title 63N, Chapter 12, Part 4, Career and Technical Education Board.