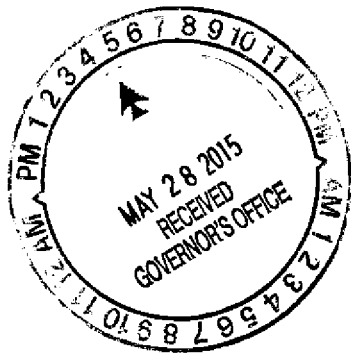


ACT No. 2015- 308

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,

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

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BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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(1) CONSTRUCTION INDUSTRY CRAFT TRAINING FEES.

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Revenues received by the state in the form of federal, state, local, or private sector grants for the purpose of funding construction industry craft training programs and fees imposed under Section 4 except this subdivision may not be construed as authorizing the collection of fees. No fee from any licensed home builder, as defined in Chapter 14A of Title 34, Code of Alabama 1975; any subcontractor working on a 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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*Ray Ivey*

President and Presiding Officer of the Senate

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*[Signature]*

Speaker of the House of Representatives

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SB170

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Senate 02-APR-15

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I hereby certify that the within Act originated in and passed the Senate.

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Patrick Harris  
Secretary

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House of Representatives  
Amended and passed 28-MAY-15

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Senate concurred in House amendment 28-MAY-15

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**APPROVED**

*6-3-2015*

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By: Senator Holley

**TIME**

*3:30 PM*

*Robert Bentley*

**GOVERNOR**

Alabama Secretary Of State

Act Num....: 2015-308  
Bill Num....: S-170

Recv'd 06/03/15 05:26pmSLF

SPONSOR

*Jeffery*  
SPONSORS

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I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, SB 110

years 26 nays 0 abstain 0

**PATRICK HARRIS,**  
Secretary

I hereby certify that the notice & proof is attached to the Bill, SB \_\_\_\_\_ as required in the General Acts of Alabama, 1975 Act No. 919.

**PATRICK HARRIS,**  
Secretary

**CONFERENCE COMMITTEE**

Senate Conferees

DATE:

4-7

2013

RD 1 RFD

BAC

**REPORT OF STANDING COMMITTEE**

This bill having been referred by the House to its standing committee on BAC was acted upon by such committee in session, and returned therefrom to the House with the recommendation that it be Passed, w/amend(s) 1 w/sub. This 23<sup>rd</sup> day of April, 2013.

*Howard Woodward*, Chairperson

DATE:

4-23

2013

RF

Woodward

RD 2 CAL

DATE:

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RE-REFERRED

RE-COMMITTED

Committee

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, SB 110.

YEAS 96 NAYS 0

**JEFF WOODARD,**  
Clerk