

An Act

ENROLLED HOUSE
BILL NO. 3597

By: Hill and Pittman of the
House

and

Paxton of the Senate

An Act relating to state government; amending 74 O.S. 2021, Sections 5003.10d and 5003.10e, which relate to the Governor's Council for Workforce and Economic Development; modifying reimbursement of travel expenses; modifying coordination of the Council's activities; and declaring an emergency.

SUBJECT: State government

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 74 O.S. 2021, Section 5003.10d, is amended to read as follows:

Section 5003.10d A. The Governor's Council for Workforce and Economic Development established under the authority of Executive Order 2005-27 is hereby recognized by the Legislature as the State's Workforce Investment Board. The Council succeeded and was established in lieu of the Oklahoma Workforce Investment Board. Appointed members of the Council serving under the authority of Executive Order 2005-27 when this act becomes effective shall continue to serve until their terms have expired and their successors have been duly appointed.

Pursuant to the federal Workforce Innovation and Opportunity Act, the purpose of the Council shall be to:

1. Guide the development of a comprehensive and coordinated workforce development system for the state and monitor its operation; and

2. Review and make recommendations that will align the workforce system, including education, with the economic development goals of the state for the purpose of creating workforce and economic development systems that are integrated and shall provide Oklahoma a competitive advantage in a global economy.

B. Membership of the Council shall include representatives of private employers who reflect Oklahoma's projected and desired business and industry base and public officials from agencies which provide programs and services related to workforce, education and economic development. All Council members shall be in positions to influence policy and hiring decisions within their organizations. Initial appointments to the Council shall conform to the following described schedule:

1. The membership of the Council shall comply with the federal requirements of the state investment board;

2. A majority of the Council shall come from described private sector employers, including owners of businesses, chief executives or operating officers of businesses or other business executives or employees with optimum policymaking or hiring authority, and who represent businesses, including small businesses, that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in this state;

3. State officials shall include incumbents or designees of the following named offices, or their successors in office or function:

- a. Governor,
- b. two members of the Oklahoma Senate, appointed by the President Pro Tempore,
- c. two members of the Oklahoma House of Representatives, appointed by the Speaker, and
- d. ~~Executive Director of the Oklahoma Department of Commerce, and~~
- e. Executive Director of the Oklahoma Employment Security Commission;

4. Additional members, at the discretion and pleasure of the Governor, may be appointed representing the needs or interests of the state economy or specific regional needs; and

5. Ex-officio members, at the discretion and pleasure of the Governor, may be included to provide expertise and agency information to the Council. These appointments may include, but not be limited to:

- a. the Secretary of Education,
- b. the Secretary of Health and Human Services,
- c. the Secretary of Commerce,
- d. the Chancellor of the Oklahoma State Regents for Higher Education,
- e. the Director of Career and Technology Education,
- f. the State Superintendent of Public Instruction,
- g. the Director of the State Department of Rehabilitation Services,
- h. the Director of the Oklahoma Department of Corrections,
- i. the Commissioner of the Oklahoma Department of Mental Health and Substance Abuse Services,
- j. the Director of the Oklahoma Health Care Authority,
and
- k. the Native American Liaison.

C. Private sector members shall be appointed by and serve at the pleasure of the Governor for a two-year term beginning October 1, 2005, and may be reappointed. However, of the initial private sector members appointed, half shall be appointed for an initial term of one (1) year beginning October 1, 2005. Private members may be removed from office for failure to attend three consecutive Council meetings. The chair of the Council shall be from the private sector and shall be appointed by and serve at the pleasure of the Governor.

D. The Council shall meet at such times and places as it deems appropriate. Members shall serve without compensation. Council members employed by a state agency shall be reimbursed travel expenses related to their service on the Council as authorized by state law by their respective state agency. Legislative members of the Council shall be reimbursed by their respective houses for necessary travel expenses incurred in the performance of their duties as authorized by state law. Remaining Council members shall also be reimbursed travel expenses related to their service on the Council by the Oklahoma ~~Department of Commerce~~ Employment Security Commission as authorized by state law. No member of the Council shall profit, directly or indirectly, from any transaction with the Council.

E. The duties and responsibilities of the Council in the development, monitoring and aligning of the workforce system with economic development shall include, but not be limited to:

1. Performing the duties required of the state governance board by the federal Workforce Innovation and Opportunity Act;

2. Identifying the human resource investment needs of Oklahoma business and industry, together with those of the citizens of the state, so that each might respond to and meet the needs of the others and thus together build a robust, diversified economy;

3. Reviewing and evaluating workforce development programs within the state, formulate recommendations to increase their efficiency and effectiveness, eliminate duplication, and align with economic goals. Recommendations shall be communicated to the Governor, Legislature, state and federal government agencies and appropriate individuals and entities within the private sector;

4. Increasing academic capability and technical skills within the state workforce and foster lifelong learning among Oklahoma's citizens;

5. Strengthening collaboration among institutions which provide education and training services, government agencies which coordinate employment and other human resource investment activities, and Oklahoma business and industry to create a seamless system to nurture healthy economic development; and

6. Enhancing rural economic development capability and capacity, giving particular attention to regional collaboration and partnering.

F. ~~Activities of the Council shall be coordinated by the Secretary of Commerce and directed by the Deputy Secretary of Commerce for Workforce Development, or their successors in office or function. Administrative and staffing support for the Council shall be coordinated by the Office of Workforce Solutions within the Department of Commerce~~ Workforce Development.

G. The State Workforce Partners originally established under the authority of Executive Order 2005-27 as the Workforce Solutions Staff Team is hereby recognized by the Legislature. This interagency team shall be comprised of executive level staff from workforce, education and economic development agencies of the state for the purpose of providing staff support to the Council and to create efficiencies, eliminate duplication, and eliminate barriers to jointly providing a service delivery system. Other members may be included on this team as the Governor may deem necessary to accomplish this goal.

H. The Council shall be supported by funds available to state agencies pursuant to state and federal laws and regulations. Each member of the Council whose agency qualifies pursuant to state and federal law to receive and use such funds shall assist by providing support and funding of the Council in carrying out the responsibilities of the Council.

I. The Council shall form a subcommittee on health workforce whose purpose shall be to inform, coordinate, and facilitate statewide efforts to ensure that a well-trained, adequately distributed, and flexible health workforce is available to meet the needs of an efficient and effective health care system in Oklahoma. Duties of the Health Workforce Subcommittee shall include, but not be limited to, the following:

1. Conducting data analysis and preparing reports on health workforce supply and demand;

2. Research and analysis of state health professional education and training capacity;

3. Recommend recruitment and retention strategies for areas determined by the Oklahoma Primary Care Office or the Oklahoma Office of Rural Health to be areas of high need; and

4. Assessment of health workforce policy, evaluation of impact on Oklahoma's health system and health outcomes, and developing health workforce policy recommendations.

SECTION 2. AMENDATORY 74 O.S. 2021, Section 5003.10e, is amended to read as follows:

Section 5003.10e A. There is hereby created the Work-based Learning Program. The Governor's Council on Workforce and Economic Development shall have authority over the program. The Governor's Council shall coordinate the program by establishing partnerships with the State Department of Education, the State Regents for Higher Education, the State Department of Career and Technology Education, the Oklahoma Board of Private Vocational Schools, the Secretary of State and business entities throughout the state. The ~~Oklahoma Office of Workforce Development~~ Oklahoma Employment Security Commission, serving as the Workforce Innovation and Opportunity Act designee as established by the Governor in Executive Order 2023-21, shall have the official duty to develop and maintain a Work-based Learning Program within its jurisdiction ~~to be focused and will collaborate, specifically related to registered apprenticeships,~~ with the Oklahoma Department of Career and Technology Education in its focus on increasing the number of registered apprenticeships and internship programs, defined as paid and unpaid work experience by the United States Department of Labor as contained in 20 CFR 681.600, in this state to at least an aggregate of twenty thousand positions by the end of the calendar year 2020. All partners participating in the Work-based Learning Program shall be required to provide their expertise, time and resources as deemed necessary to advance and sustain the work-based learning goals of Oklahoma Works to assist with publishing an annual progress report showing each state agency's steps and accomplishments toward meeting statewide workforce goals and to network and coordinate with other public and private entities in an effort to align all state agencies, boards and commissions and the private business sector in meeting Oklahoma Works goals.

B. The Work-based Learning Program shall include the following components:

1. Coordinate work-based learning opportunities through the state's labor market and labor exchange systems to connect youth and adults in public and private sectors;

2. Work toward increasing the number of youth and adults participating successfully in public and private work-based learning opportunities;

3. Set standards for equality and fair access to quality work-based learning experiences for all Oklahomans, including, but not limited to, women, out-of-school youth, adults, African Americans, Hispanics, Native Americans, veterans, individuals with disabilities and other target populations identified in the federal Workforce Innovation and Opportunity Act;

4. Promote quality work-based learning experiences which are developmentally appropriate, including an orientation for all parties, identify learning objectives for the term of the experience, explore multiple aspects of an industry, develop workplace skills and competencies, assess performance, provide opportunities for work-based reflection, link appropriate next steps and see that all aspects are documented and reported and comply with state and federal labor laws;

5. Convene industry partners to develop industry-specific standards for internships in order to aid employers with the creation of rigorous internship programs; and

6. Prioritize paid work-based learning experiences to ensure equity and access.

C. Each organization seeking to be a registered Work-based Learning Program in Oklahoma shall either:

1. Be registered as a Work-based Learning Program, such as an apprenticeship, with the United States Department of Labor; or

2. File a certificate each year in the Office of the Secretary of State, which shall confirm such an organization is an active participant in Oklahoma's registered Work-based Learning Program. The certificate to be filed shall include:

a. the name of the business, nonprofit organization or government organization,

- b. the street address of the organization,
- c. the name of the primary contact for the organization,
- d. the electronic mail address for the primary contact of the registered organization,
- e. the registered organization's North American Industry Classification System code (NAICS), if applicable,
- f. the number and type of work-based learning opportunities proposed for the year, the estimated term of each opportunity, the proposed occupations, and estimated number of hours per week of each opportunity, if available,
- g. the number and type of work-based learning opportunities proposed for the year, the estimated term of each opportunity, the proposed occupations, and the estimated number of hours per week of each opportunity, if available,
- h. signed acknowledgement of the application by the primary contact, and
- i. the annual renewal shall be due on the anniversary date of filing the registration application.

The filing shall be made electronically via the Secretary of State website.

D. The annual certificate of participation shall be due on the anniversary date of original registration, as the case may be, until cancellation of the work-based organization in the Work-based Learning Program.

E. The Secretary of State shall, at least sixty (60) days before the anniversary date each year of a participating organization, cause a notice of renewal of the annual certificate to be sent to such organization to its last known electronic mail address of record filed with the Secretary of State. At the time of renewal, the organization shall provide a Work-based Learning Program annual summary, including for each position offered:

- 1. The number of opportunities posted;

2. The number of opportunities hired;

3. The type of work-based learning opportunities offered (e.g., internship, apprenticeship);

4. The Standard Occupational Classification (SOC) code;

5. The performance evaluation criteria utilized;

6. The term of the position;

7. The number of hours per week;

8. Paid or unpaid status;

9. Academic credit awarding institution, if applicable;

10. Academic hours awarded, if applicable; and

11. The gender, age and ethnicity of hires, if available.

F. A registered organization that fails to file the annual renewal and pay the annual renewal fee by the anniversary date of registration shall cease to be a registered organization with the Governor's Council for Workforce and Economic Development.

G. The Secretary of State shall charge and collect the following fees:

1. For filing the original application, a fee of Fifty Dollars (\$50.00) submitted to the Secretary of State; and

2. For filing subsequent annual renewals, a fee of Twenty-five Dollars (\$25.00) submitted to the Secretary of State.

H. To coordinate with statewide career pathways efforts, registered organizations under this program shall recruit participants by posting job announcements on the state labor market exchange system. Job announcements shall include the registered organization number as assigned by the Secretary of State.

I. The Secretary of State shall transfer on July 1 of each fiscal year an amount based on the Governor's Council for Workforce Development annual budget not to exceed Eight Hundred Fifty Thousand

Dollars (\$850,000.00) annually from the Secretary of State revolving fund to support the administration of the program and business registration to help enable the development of the state's talent pipeline.

SECTION 3. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 6th day of March, 2024.

Presiding Officer of the House
of Representatives

Passed the Senate the 17th day of April, 2024.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____