

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

# A Bill

Act 474 of 1999  
SENATE BILL 368

5 By: Senator Riggs  
6  
7

## For An Act To Be Entitled

9 "TO PROVIDE FOR A CONSTRUCTION INDUSTRY CRAFT TRAINING  
10 EDUCATION PROGRAM IN VOCATIONAL SCHOOLS, TECHNICAL  
11 SCHOOLS, AND COLLEGES; TO IMPOSE A CONSTRUCTION PERMIT  
12 SURCHARGE TO FUND A CONSTRUCTION INDUSTRY CRAFT  
13 TRAINING PROGRAM; AND FOR OTHER PURPOSES."

## Subtitle

15 "TO PROVIDE FOR A CONSTRUCTION INDUSTRY  
16 CRAFT TRAINING EDUCATION PROGRAM IN  
17 VOCATIONAL SCHOOLS, TECHNICAL SCHOOLS, AND  
18 COLLEGES; AND FOR OTHER PURPOSES"  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. This act shall be known and may be cited as "The Arkansas  
24 Construction Industry Education Act".

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26 SECTION 2. (a) The General Assembly recognizes that at any given time  
27 the level of activity in our national construction industry is the primary  
28 yardstick for measuring the overall economic health of this country, and that  
29 the success and stability of the building business of this state is dependent  
30 upon a sufficient supply of skilled artisans and crafts persons who can  
31 produce quality projects that inspire public confidence.

32 (b) It is the intent of this act to promote a coordinated effort,  
33 between the construction industry and the vocational and technical schools and  
34 colleges to enhance the availability and the competence of the workforce  
35 supporting the industry by instituting a craft training program.  
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1           SECTION 3. There is created the Arkansas Construction Industry Craft  
2 Training Education Program which shall be incorporated into the curricula of  
3 existing state vocational schools, technical institutions, and two-year  
4 colleges. The program shall not cause the creation of any new schools or  
5 facilities solely to accommodate or fulfill the requirements of this act.  
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7           SECTION 4. In order to provide for an efficient, competent, and  
8 resourceful construction industry training program that will enhance the  
9 development of a quality labor pool to support the building industry of this  
10 state, there is established the Arkansas Construction Industry Craft Training  
11 Program which will be administered by the Arkansas Department of Workforce  
12 Education in collaboration with the State Apprenticeship Coordination Steering  
13 Committee created by Arkansas Code §6-52-204.  
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15           SECTION 5 The Arkansas Department of Workforce Education and the  
16 Coordination Committee shall promulgate rules necessary to implement the  
17 provisions of this act.  
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19           SECTION 6. In addition to the duties of the Arkansas Apprenticeship  
20 Coordination Steering Committee contained in Arkansas Code §6-52-205, the  
21 Committee is authorized to develop a plan for the Arkansas Construction Craft  
22 Training Program which shall include but not be limited to the following:

23           (1) Formulas and administrative procedures to be used in requesting  
24 appropriations of state funds for the Construction Craft Training Program;

25           (2) Forms, formulas and administrative procedures to be used in  
26 distributing funds to construction craft training programs; and

27           (3) Other administrative procedures or rules as may be necessary for  
28 the equitable and efficient operation of the Construction Craft Training  
29 Program.  
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31           SECTION 7. (a) A surcharge in the amount of fifty cents (.50) per each  
32 one thousand dollars (\$1,000) of construction authorized on any non-  
33 residential construction permit issued by any political subdivision of this  
34 state is imposed to financially support the craft training education program.

35           (b) The office of the political subdivision issuing the permit shall be  
36 responsible for collecting the surcharge and remitting it monthly to the

1 Department of Finance and Administration under such rules and regulations as  
2 the Chief Fiscal Officer of the state may prescribe for the collection,  
3 enforcement, and administration of the proceeds of the surcharge and shall  
4 retain five percent (5%) of each permit surcharge collected for the cost of  
5 administration.

6  
7 SECTION 8. (a) The net proceeds received pursuant to SECTION 7 shall be  
8 deposited in a special trust account in the State Treasury known as the  
9 "Arkansas Construction Industry Craft Training Trust Fund".

10 (b) Programs established or funded by the Arkansas Construction  
11 Industry Craft Training Trust Fund shall be consistent with the eight (8)  
12 criteria recommended by the Federal Committee on Apprenticeship, U.S.  
13 Department of Labor, Employment and Training Administration Office of Work  
14 Based Learning, Bureau of Apprenticeship and Training. The eight (8)  
15 essential components of an approved apprenticeship program shall include all  
16 of the following;

17 (1) A training strategy that combines supervised, structural on-  
18 the-job training with related theoretical instruction, and is sponsored by  
19 employers or labor/management groups that have the ability to hire and train  
20 in a work environment;

21 (2) A training strategy that prepares an individual for skilled  
22 employment by conducting training in bona fide and documented employment  
23 settings;

24 (3) A training strategy with requirements that are clearly  
25 delineated in Federal and state laws and regulations;

26 (4) A training strategy that by virtue of a legal contract,  
27 indenture, leads to a Certificate of Completion and official journeyman  
28 status;

29 (5) A training strategy that involves a tangible and generally  
30 sizable investment on the part of the employer or labor/management program  
31 sponsor;

32 (6) A training strategy that pays wages to its participants at  
33 least during the on-the-job training phase of their apprenticeship and that  
34 increases these wages throughout the training program in accordance with a  
35 predefined wage progression scale;

36 (7) A training strategy in which participants learn by working

1 directly under the supervision and tutelage of a master in the craft, trade,  
2 or relevant occupational area; and

3 (8) A training strategy that involves a written agreement and an  
4 implicit social obligation between the program sponsor and the apprentice.

5 (c) The Arkansas Department of Workforce Education shall, based upon  
6 the recommendation of the the State Apprenticeship Coordination Steering  
7 Committee, expend the monies in the trust fund, from time-to-time to support  
8 the training program prescribed in this act.

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10 SECTION 9. All provisions of this act of a general and permanent nature  
11 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
12 Revision Commission shall incorporate the same in the Code.

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14 SECTION 10. If any provision of this act or the application thereof to  
15 any person or circumstance is held invalid, such invalidity shall not affect  
16 other provisions or applications of the act which can be given effect without  
17 the invalid provision or application, and to this end the provisions of this  
18 act are declared to be severable.

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20 SECTION 11. All laws and parts of laws in conflict with this act are  
21 hereby repealed.

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24 APPROVED: 3/8/1999

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