

LC 476
2017 Regular Session
52500-009
9/23/16 (GES/ps)

D R A F T

SUMMARY

Updates certain terms and references used throughout state law to conform with changes to federal law associated with enactment of federal Workforce Innovation and Opportunity Act. Changes name of State Workforce Investment Board to State Workforce Development Board.

Directs Higher Education Coordinating Commission to perform certain functions previously performed by Office of Community Colleges and Workforce Development.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to implementation of the federal Workforce Innovation and Opportunity Act; creating new provisions; amending ORS 284.290, 284.294, 285C.050, 329.850, 350.075, 350.150, 350.170, 413.231, 413.435, 418.658, 458.675, 461.740, 470.710, 657.345, 657.380, 657.610, 657.665, 657.710, 657.730, 657.734, 660.120, 660.300, 660.302, 660.312, 660.318, 660.321, 660.324, 660.327, 660.330, 660.333, 660.336, 660.339, 660.340, 660.343, 660.346, 660.349, 660.353, 660.358, 660.361, 660.364 and 678.425; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 284.290 is amended to read:

284.290. (1) The Oregon Talent Council is established. The Director of the Employment Department, in consultation with the Governor or the Governor's designated representative, may appoint the council members, the majority of whom must be senior executives of traded sector and high growth industries in Oregon.

(2) The council shall have no fewer than seven and no more than 21

1 members.

2 (3) One representative of each of the following entities may serve as an
3 ex officio member of the council:

4 (a) Higher Education Coordinating Commission;

5 (b) State Workforce [*Investment*] **Development** Board;

6 (c) Oregon Business Development Department;

7 (d) Employment Department; and

8 (e) STEM Investment Council.

9 (4) The council shall select one of its private sector members as a chair-
10 person.

11 (5) A majority of the members of the council constitutes a quorum for the
12 transaction of business.

13 (6) The council shall meet at least four times per fiscal year at a place,
14 day and time determined by the chairperson. The council may also meet at
15 other times and places specified by a call of the chairperson or by written
16 request of a majority of the members of the council.

17 (7) The council may adopt rules necessary for the operation of the coun-
18 cil.

19 (8) The council may establish committees and delegate to the committees
20 duties the council considers desirable.

21 (9) The Employment Department, in consultation with the council, may
22 use up to 10 percent of the amount appropriated by the Legislative Assembly
23 for allocation to the council to employ staff and support the operations of
24 the council.

25 **SECTION 2.** ORS 284.294 is amended to read:

26 284.294. (1) The Oregon Talent Council shall develop a Talent Develop-
27 ment Plan. The plan must include identification of talent issues and trends
28 related to selected Oregon traded sector and high growth industries that are
29 in strategic alignment with state and local workforce and economic priori-
30 ties. The plan must include recommendations to the State Workforce [*In-*
31 *vestment*] **Development** Board, the STEM Investment Council and the

1 Higher Education Coordinating Commission on training and education en-
2 hancements based upon the identified talent issues and trends.

3 (2) The Oregon Talent Council shall update the plan and the council's
4 recommendations every biennium.

5 (3) Each year, the council shall report to the Governor and the Legisla-
6 tive Assembly about the plan.

7 **SECTION 3.** ORS 285C.050 is amended to read:

8 285C.050. As used in ORS 285C.050 to 285C.250, unless the context re-
9 quires otherwise:

10 (1) "Assessment date" and "assessment year" have the meanings given
11 those terms in ORS 308.007.

12 (2) "Authorized business firm" means an eligible business firm that has
13 been authorized under ORS 285C.140.

14 (3) "Business firm" means a person operating or conducting one or more
15 trades or businesses, a people's utility district organized under ORS chapter
16 261 or a joint operating agency formed under ORS chapter 262, but does not
17 include any other governmental agency, municipal corporation or nonprofit
18 corporation.

19 (4) "County average annual wage" means:

20 (a) The most recently available average annual covered payroll for the
21 county in which the enterprise zone is located, as determined by the Em-
22 ployment Department; or

23 (b) If the enterprise zone is located in more than one county, the highest
24 county average annual wage as determined under paragraph (a) of this sub-
25 section.

26 (5) "Electronic commerce" means engaging in commercial or retail trans-
27 actions predominantly over the Internet or a computer network, utilizing the
28 Internet as a platform for transacting business, or facilitating the use of the
29 Internet by other persons for business transactions, and may be further de-
30 fined by the Oregon Business Development Department by rule.

31 (6) "Eligible business firm" means a firm engaged in an activity described

1 under ORS 285C.135 that may file an application for authorization under
2 ORS 285C.140.

3 (7) "Employee" means a person who works more than 32 hours per week,
4 but does not include a person with a temporary or seasonal job or a person
5 hired solely to construct qualified property.

6 (8) "Enterprise zone" means one of the 30 areas designated or terminated
7 and redesignated by order of the Governor under ORS 284.160 (1987 Re-
8 placement Part) before October 3, 1989, one of the areas designated by the
9 Director of the Oregon Business Development Department under ORS
10 285C.080 before October 5, 2015, an area designated under ORS 285C.065, a
11 federal enterprise zone area designated under ORS 285C.085, an area desig-
12 nated under ORS 285C.250 or a reservation enterprise zone designated, or a
13 reservation partnership zone cosponsored, under ORS 285C.306.

14 (9) "Federal enterprise zone" means any discrete area wholly or partially
15 within this state that is designated as an empowerment zone, an enterprise
16 community, a renewal community or some similar designation for purposes
17 of improving the economic and community development of the area.

18 (10) "First-source hiring agreement" means an agreement between an au-
19 thorized business firm and a publicly funded job training provider whereby
20 the provider refers qualified candidates to the firm for new jobs and job
21 openings in the firm.

22 (11) "In service" means being used or occupied or fully ready for use or
23 occupancy for commercial purposes consistent with the intended operations
24 of the business firm as described in the application for authorization.

25 (12) "Modification" means modernization, renovation or remodeling of an
26 existing building, structure or real property machinery or equipment.

27 (13) "New employees hired by the firm":

28 (a) Includes only those employees of an authorized business firm engaged
29 for a majority of their time in eligible operations.

30 (b) Does not include individuals employed in a job or position that:

31 (A) Is created and first filled after December 31 of the first tax year in

1 which qualified property of the firm is exempt under ORS 285C.175;

2 (B) Existed prior to the submission of the relevant application for au-
3 thorization; or

4 (C) Is performed primarily at a location outside of the enterprise zone.

5 (14) “Publicly funded job training provider” includes but is not limited to
6 a community college, a service provider under the federal Workforce [*In-*
7 *vestment Act Title I-B (29 U.S.C. 2801 et seq.)*] **Innovation and Opportunity**
8 **Act**, or a similar program.

9 (15) “Qualified business firm” means a business firm described in ORS
10 285C.200, the qualified property of which is exempt from property tax under
11 ORS 285C.175.

12 (16) “Qualified property” means property described under ORS 285C.180.

13 (17) “Rural enterprise zone” means:

14 (a) An enterprise zone located in an area of this state in which an urban
15 enterprise zone could not be located; or

16 (b) A reservation enterprise zone designated, or a reservation partnership
17 zone cosponsored, under ORS 285C.306.

18 (18) “Sparsely populated county” means a county with a density of 100
19 or fewer persons per square mile, based on the most recently available pop-
20 ulation figure for the county from the Portland State University Population
21 Research Center.

22 (19) “Sponsor” means:

23 (a) The city, county or port, or any combination of cities, counties or
24 ports, that received approval of an enterprise zone under ORS 284.150 and
25 284.160 (1987 Replacement Part), under ORS 285C.080 before October 5, 2015,
26 or under ORS 285C.085 or 285C.250 or that designated an enterprise zone
27 under ORS 285C.065 or 285C.250;

28 (b) The tribal government, in the case of a reservation enterprise zone;

29 (c) The tribal government and the cosponsoring city, county or port, in
30 the case of a reservation partnership zone; or

31 (d) A city, county or port that joined the enterprise zone through a

1 boundary change under ORS 285C.115 (6) or a port that joined the enterprise
2 zone under ORS 285C.068.

3 (20) “Tax year” has the meaning given that term in ORS 308.007.

4 (21) “Urban enterprise zone” means an enterprise zone in a metropolitan
5 statistical area, as defined by the most recent federal decennial census, that
6 is located inside a regional or metropolitan urban growth boundary.

7 (22) “Year” has the meaning given that term in ORS 308.007.

8 **SECTION 4.** ORS 329.850 is amended to read:

9 329.850. (1) The Education and Workforce Policy Advisor, in consultation
10 with the Department of Education, the [*Office of Community Colleges and*
11 *Workforce Development*] **Higher Education Coordinating Commission**, the
12 Bureau of Labor and Industries, the Oregon Business Development Depart-
13 ment and the Department of Human Services, shall propose policies and
14 strategies consistent with this chapter.

15 (2) The Education and Workforce Policy Advisor’s policies and strategies
16 must take into account that:

17 (a) The state must promote innovative thinking with respect to the cur-
18 rriculum and educational delivery system of Oregon public schools;

19 (b) The state must require of all youth a level of achievement that pre-
20 pares them to pursue college, career and technical education programs, ap-
21 prenticeships, work-based training and school-to-work programs;

22 (c) Greater employer investment is essential in the ongoing training of
23 all workers to meet workforce needs;

24 (d) The state must encourage Oregon businesses to improve productivity
25 by creating high performance work organizations that provide high skills and
26 high wage opportunities for youth and adults; and

27 (e) All employment-related training, education and job placement services
28 and sources of funds must be coordinated among state agencies and boards
29 and must complement the state’s overall efforts on behalf of youth and
30 adults.

31 **SECTION 5.** ORS 350.075, as amended by section 5, chapter 30, Oregon

1 Laws 2016, and section 55, chapter 117, Oregon Laws 2016, is amended to
2 read:

3 350.075. (1) As used in this section, “student access programs” means
4 scholarship, loan, grant and access programs described in ORS chapter 348.

5 (2) The Higher Education Coordinating Commission shall be guided by
6 the legislative findings in ORS 341.009, 350.001 and 350.005 and the goals and
7 mission of post-secondary education set forth in ORS 350.009 and 350.014.

8 (3) The Higher Education Coordinating Commission shall:

9 (a) Develop state goals for the state post-secondary education system, in-
10 cluding community colleges and public universities listed in ORS 352.002, and
11 for student access programs.

12 (b) Determine strategic investments in the state’s community colleges,
13 public universities and student access programs necessary to achieve state
14 post-secondary education goals.

15 (c) Coordinate the post-secondary elements of data collection and struc-
16 ture, with the advice and recommendation of the state’s independent insti-
17 tutions, community colleges and public universities, as appropriate, in order
18 to construct a state longitudinal data system.

19 (d) Adopt a strategic plan for achieving state post-secondary education
20 goals, taking into consideration the contributions of this state’s independent
21 institutions, philanthropic organizations and other organizations dedicated
22 to helping Oregonians reach state goals. State post-secondary education
23 goals as described in this section should include, but need not be limited to:

24 (A) Increasing the educational attainment of the population;

25 (B) Increasing this state’s global economic competitiveness and the qual-
26 ity of life of its residents;

27 (C) Ensuring affordable access for qualified Oregon students at each col-
28 lege or public university;

29 (D) Removing barriers to on-time completion; and

30 (E) Tracking progress toward meeting the state’s post-secondary education
31 goals established in the strategic plan described in this paragraph.

1 (e)(A) Each biennium, after receiving funding requests from the state's
2 community colleges and public universities as authorized by law, recommend
3 to the Governor a consolidated higher education agency request budget
4 aligned with the strategic plan described in paragraph (d) of this subsection,
5 including appropriations for:

6 (i) Student access programs;

7 (ii) Public universities listed in ORS 352.002, including but not limited to
8 education and general operations, statewide public services and state-funded
9 debt service;

10 (iii) Community colleges, including but not limited to education and gen-
11 eral operations and state-funded debt service;

12 (iv) New facilities or programs;

13 (v) Capital improvements and deferred maintenance; and

14 (vi) Special initiatives and investments.

15 (B) In the development of the consolidated higher education agency re-
16 quest budget:

17 (i) Determine the costs necessary to provide quality post-secondary edu-
18 cation;

19 (ii) Solicit input from educators, education policy experts, appropriate
20 legislative committees, students and other persons interested in the develop-
21 ment of the funding model; and

22 (iii) Solicit public input regarding educational priorities.

23 (f) Adopt rules governing the distribution of appropriations from the
24 Legislative Assembly to community colleges, public universities listed in
25 ORS 352.002 and student access programs. These rules must be based on
26 allocation formulas developed in consultation with the state's community
27 colleges and public universities, as appropriate.

28 (g) Approve or disapprove any significant change to the academic program
29 of a community college or a public university listed in ORS 352.002. In
30 reaching a decision under this paragraph, the commission shall consider the
31 recommendation from the community college or public university seeking to

1 make the change to an academic program that is issued pursuant to the ob-
2 ligation of the governing board of a community college or public university
3 to review and approve academic programs. The commission shall ensure that
4 approved programs:

5 (A) Are consistent with the mission statement of the community college
6 or public university;

7 (B) Do not unnecessarily duplicate academic programs offered by Oregon's
8 other community colleges or public universities;

9 (C) Are not located in a geographic area that will cause undue hardship
10 to Oregon's other community colleges or public universities; and

11 (D) Are allocated among Oregon's community colleges and public univer-
12 sities to maximize the achievement of statewide needs and requirements.

13 (h) For public universities listed in ORS 352.002:

14 (A) Approve the mission statement adopted by a governing board of a
15 public university.

16 (B) Review and determine whether a proposed annual increase of resident
17 undergraduate enrollment fees of greater than five percent is appropriate.

18 (C) Advise the Governor and the Legislative Assembly on issues of uni-
19 versity governance.

20 (D) Approve and authorize degrees.

21 (E) Perform the evaluation and certification required by ORS 350.095.

22 (i) Authorize degrees to be offered by independent post-secondary insti-
23 tutions in this state under ORS 348.594 to 348.615.

24 (j) Oversee the licensing of career schools under ORS 345.010 to 345.450.

25 (k) Have the authority to enter into and administer interstate agreements
26 regarding the provision of post-secondary distance education. The partic-
27 ipation by an educational institution that is not based in this state in dis-
28 tance learning courses or programs that are part of an interstate agreement
29 entered into and administered under this paragraph does not constitute op-
30 erating in this state for purposes of ORS 348.594 to 348.615. The commission,
31 by rule, may impose a fee on any educational institution that seeks to oper-

1 ate under or participate in such interstate agreements. The fee amount shall
2 be established to recover designated expenses incurred by the commission in
3 participating in such agreements.

4 (L) Coordinate and collaborate with the Chief Education Office as pro-
5 vided by section 1, chapter 519, Oregon Laws 2011.

6 (4)(a) The Higher Education Coordinating Commission shall implement a
7 process to resolve student complaints against any school operating in this
8 state. As part of the process implemented under this subsection, the com-
9 mission may:

10 (A) Receive student complaints from students regarding a school;

11 (B) Specify the type of information that must be included in a student
12 complaint;

13 (C) Investigate any student complaint filed against a school;

14 (D) Establish a process to review and resolve student complaints against
15 a school, including but not limited to reviewing school records, holding ad-
16 ministrative hearings and issuing final orders;

17 (E) Assess a fee to cover the costs of any proceeding brought under this
18 subsection, including but not limited to the costs of an investigation or ad-
19 ministrative hearing;

20 (F) Require a school to make full or partial restitution to a student or
21 to cease an act or practice that is challenged in a student complaint;

22 (G) Adopt rules to implement the provisions of this subsection; and

23 (H) Enter into agreements to implement the provisions of this subsection.

24 (b) Any hearing held under this subsection is subject to the provisions
25 of ORS chapter 183.

26 (c) As used in this subsection:

27 (A) "School" means a school that meets the requirements of ORS 348.597
28 (2)(a); and

29 (B) "Student" means a person who is enrolled or accepted for enrollment
30 at a school for the purpose of obtaining a degree, certificate or other recog-
31 nized educational credential offered by that school.

1 (5) In addition to the duties described in subsections (2) to (4) of this
2 section, the Higher Education Coordinating Commission shall advise the
3 Legislative Assembly, the Governor, community colleges, public universities
4 and other state boards and commissions on policies in order to:

5 (a) Ensure or improve access to higher education by diverse and under-
6 served populations.

7 (b) Encourage student success and completion initiatives.

8 (c) Improve the coordination of the provision of educational services, in-
9 cluding:

10 (A) Transfers and coenrollment throughout the higher education system;

11 (B) Accelerated college credit programs for high school students;

12 (C) Applied baccalaureate and other transfer degrees;

13 (D) Programs and grants that span multiple institutions; and

14 (E) Reciprocity agreements with other states.

15 (d) In coordination with the State Board of Education, enhance the use
16 and quality of dual credit, career and technical pathways and efforts to cre-
17 ate a culture of college attendance in this state.

18 (e) In coordination with the State Workforce [*Investment*] **Development**
19 Board, local workforce [*investment*] **development** boards, the Oregon Health
20 and Science University and independent institutions, ensure that the state's
21 colleges and universities offer programs in high-demand occupations that
22 meet Oregon's workforce needs.

23 (f) Improve economies of scale by encouraging and facilitating the use of
24 the shared services among post-secondary institutions in this state.

25 (6) The Higher Education Coordinating Commission, in a manner con-
26 sistent with ORS chapter 183, may adopt administrative rules.

27 (7) With the exception of the rulemaking authority granted in subsection
28 (6) of this section, the Higher Education Coordinating Commission may del-
29 egate any of its powers, duties or functions to a committee of the commission
30 or to the executive director of the commission.

31 (8) The Higher Education Coordinating Commission may establish tech-

1 nical or advisory committees to assist the commission in exercising its pow-
2 ers, duties and functions.

3 (9) The Higher Education Coordinating Commission may exercise only
4 powers, duties and functions expressly granted by the Legislative Assembly.
5 Except as otherwise expressly provided by law, all other authorities reside
6 at the institutional level with the respective boards of the post-secondary
7 institutions.

8 **SECTION 6.** ORS 350.075, as amended by section 61, chapter 774, Oregon
9 Laws 2015, section 6, chapter 30, Oregon Laws 2016, and section 56, chapter
10 117, Oregon Laws 2016, is amended to read:

11 350.075. (1) As used in this section, “student access programs” means
12 scholarship, loan, grant and access programs described in ORS chapter 348.

13 (2) The Higher Education Coordinating Commission shall be guided by
14 the legislative findings in ORS 341.009, 350.001 and 350.005 and the goals and
15 mission of post-secondary education set forth in ORS 350.009 and 350.014.

16 (3) The Higher Education Coordinating Commission shall:

17 (a) Develop state goals for the state post-secondary education system, in-
18 cluding community colleges and public universities listed in ORS 352.002, and
19 for student access programs.

20 (b) Determine strategic investments in the state’s community colleges,
21 public universities and student access programs necessary to achieve state
22 post-secondary education goals.

23 (c) Coordinate the post-secondary elements of data collection and struc-
24 ture, with the advice and recommendation of the state’s independent insti-
25 tutions, community colleges and public universities, as appropriate, in order
26 to construct a state longitudinal data system.

27 (d) Adopt a strategic plan for achieving state post-secondary education
28 goals, taking into consideration the contributions of this state’s independent
29 institutions, philanthropic organizations and other organizations dedicated
30 to helping Oregonians reach state goals. State post-secondary education
31 goals as described in this section should include, but need not be limited to:

- 1 (A) Increasing the educational attainment of the population;
- 2 (B) Increasing this state's global economic competitiveness and the qual-
3 ity of life of its residents;
- 4 (C) Ensuring affordable access for qualified Oregon students at each col-
5 lege or public university;
- 6 (D) Removing barriers to on-time completion; and
- 7 (E) Tracking progress toward meeting the state's post-secondary education
8 goals established in the strategic plan described in this paragraph.

9 (e)(A) Each biennium, after receiving funding requests from the state's
10 community colleges and public universities as authorized by law, recommend
11 to the Governor a consolidated higher education agency request budget
12 aligned with the strategic plan described in paragraph (d) of this subsection,
13 including appropriations for:

- 14 (i) Student access programs;
- 15 (ii) Public universities listed in ORS 352.002, including but not limited to
16 education and general operations, statewide public services and state-funded
17 debt service;
- 18 (iii) Community colleges, including but not limited to education and gen-
19 eral operations and state-funded debt service;
- 20 (iv) New facilities or programs;
- 21 (v) Capital improvements and deferred maintenance; and
- 22 (vi) Special initiatives and investments.

23 (B) In the development of the consolidated higher education agency re-
24 quest budget:

- 25 (i) Determine the costs necessary to provide quality post-secondary edu-
26 cation;
- 27 (ii) Solicit input from educators, education policy experts, appropriate
28 legislative committees, students and other persons interested in the develop-
29 ment of the funding model; and
- 30 (iii) Solicit public input regarding educational priorities.

31 (f) Adopt rules governing the distribution of appropriations from the

1 Legislative Assembly to community colleges, public universities listed in
2 ORS 352.002 and student access programs. These rules must be based on
3 allocation formulas developed in consultation with the state's community
4 colleges and public universities, as appropriate.

5 (g) Approve or disapprove any significant change to the academic program
6 of a community college or a public university listed in ORS 352.002. In
7 reaching a decision under this paragraph, the commission shall consider the
8 recommendation from the community college or public university seeking to
9 make the change to an academic program that is issued pursuant to the ob-
10 ligation of the governing board of a community college or public university
11 to review and approve academic programs. The commission shall ensure that
12 approved programs:

13 (A) Are consistent with the mission statement of the community college
14 or public university;

15 (B) Do not unnecessarily duplicate academic programs offered by Oregon's
16 other community colleges or public universities;

17 (C) Are not located in a geographic area that will cause undue hardship
18 to Oregon's other community colleges or public universities; and

19 (D) Are allocated among Oregon's community colleges and public univer-
20 sities to maximize the achievement of statewide needs and requirements.

21 (h) For public universities listed in ORS 352.002:

22 (A) Approve the mission statement adopted by a governing board of a
23 public university.

24 (B) Review and determine whether a proposed annual increase of resident
25 undergraduate enrollment fees of greater than five percent is appropriate.

26 (C) Advise the Governor and the Legislative Assembly on issues of uni-
27 versity governance.

28 (D) Approve and authorize degrees.

29 (E) Perform the evaluation and certification required by ORS 350.095.

30 (i) Authorize degrees to be offered by independent post-secondary insti-
31 tutions in this state under ORS 348.594 to 348.615.

1 (j) Oversee the licensing of career schools under ORS 345.010 to 345.450.

2 (k) Have the authority to enter into and administer interstate agreements
3 regarding the provision of post-secondary distance education. The partic-
4 ipation by an educational institution that is not based in this state in dis-
5 tance learning courses or programs that are part of an interstate agreement
6 entered into and administered under this paragraph does not constitute op-
7 erating in this state for purposes of ORS 348.594 to 348.615. The commission,
8 by rule, may impose a fee on any educational institution that seeks to oper-
9 ate under or participate in such interstate agreements. The fee amount shall
10 be established to recover designated expenses incurred by the commission in
11 participating in such agreements.

12 (4)(a) The Higher Education Coordinating Commission shall implement a
13 process to resolve student complaints against any school operating in this
14 state. As part of the process implemented under this subsection, the com-
15 mission may:

16 (A) Receive student complaints from students regarding a school;

17 (B) Specify the type of information that must be included in a student
18 complaint;

19 (C) Investigate any student complaint filed against a school;

20 (D) Establish a process to review and resolve student complaints against
21 a school, including but not limited to reviewing school records, holding ad-
22 ministrative hearings and issuing final orders;

23 (E) Assess a fee to cover the costs of any proceeding brought under this
24 subsection, including but not limited to the costs of an investigation or ad-
25 ministrative hearing;

26 (F) Require a school to make full or partial restitution to a student or
27 to cease an act or practice that is challenged in a student complaint;

28 (G) Adopt rules to implement the provisions of this subsection; and

29 (H) Enter into agreements to implement the provisions of this subsection.

30 (b) Any hearing held under this subsection is subject to the provisions
31 of ORS chapter 183.

1 (c) As used in this subsection:

2 (A) "School" means a school that meets the requirements of ORS 348.597
3 (2)(a); and

4 (B) "Student" means a person who is enrolled or accepted for enrollment
5 at a school for the purpose of obtaining a degree, certificate or other recog-
6 nized educational credential offered by that school.

7 (5) In addition to the duties described in subsections (2) to (4) of this
8 section, the Higher Education Coordinating Commission shall advise the
9 Legislative Assembly, the Governor, community colleges, public universities
10 and other state boards and commissions on policies in order to:

11 (a) Ensure or improve access to higher education by diverse and under-
12 served populations.

13 (b) Encourage student success and completion initiatives.

14 (c) Improve the coordination of the provision of educational services, in-
15 cluding:

16 (A) Transfers and coenrollment throughout the higher education system;

17 (B) Accelerated college credit programs for high school students;

18 (C) Applied baccalaureate and other transfer degrees;

19 (D) Programs and grants that span multiple institutions; and

20 (E) Reciprocity agreements with other states.

21 (d) In coordination with the State Board of Education, enhance the use
22 and quality of dual credit, career and technical pathways and efforts to cre-
23 ate a culture of college attendance in this state.

24 (e) In coordination with the State Workforce [*Investment*] **Development**
25 Board, local workforce [*investment*] **development** boards, the Oregon Health
26 and Science University and independent institutions, ensure that the state's
27 colleges and universities offer programs in high-demand occupations that
28 meet Oregon's workforce needs.

29 (f) Improve economies of scale by encouraging and facilitating the use of
30 the shared services among post-secondary institutions in this state.

31 (6) The Higher Education Coordinating Commission, in a manner con-

1 sistent with ORS chapter 183, may adopt administrative rules.

2 (7) With the exception of the rulemaking authority granted in subsection
 3 (6) of this section, the Higher Education Coordinating Commission may del-
 4 egate any of its powers, duties or functions to a committee of the commission
 5 or to the executive director of the commission.

6 (8) The Higher Education Coordinating Commission may establish tech-
 7 nical or advisory committees to assist the commission in exercising its pow-
 8 ers, duties and functions.

9 (9) The Higher Education Coordinating Commission may exercise only
 10 powers, duties and functions expressly granted by the Legislative Assembly.
 11 Except as otherwise expressly provided by law, all other authorities reside
 12 at the institutional level with the respective boards of the post-secondary
 13 institutions.

14 **SECTION 7.** ORS 350.150 is amended to read:

15 350.150. (1) The Office of Community Colleges and Workforce Develop-
 16 ment is established within the Higher Education Coordinating Commission.
 17 The office shall function under the direction and control of the commission,
 18 with the Director of the Office of Community Colleges and Workforce De-
 19 velopment serving as an administrative officer for community college mat-
 20 ters.

21 (2) Except as provided in subsection (3) of this section, the commission
 22 may adopt any rules necessary for the effective and efficient administration
 23 of the office or for the administration of laws that the office is charged with
 24 administering.

25 (3) The commission, in consultation with **the State Workforce Devel-**
 26 **opment Board, workforce partners** [*the office*] and the Education and
 27 Workforce Policy Advisor and pursuant to ORS chapter 183, may adopt any
 28 rules necessary for the administration of laws related to the federal
 29 Workforce [*Investment*] **Innovation and Opportunity** Act that the office
 30 **or commission** is charged with administering.

31 **SECTION 8.** ORS 350.170 is amended to read:

1 350.170. (1) The Higher Education Coordinating Commission shall estab-
2 lish by rule a process for making grants or loans to public-private partner-
3 ships to provide advanced technology education and training opportunities.
4 The purpose of the grants and loans is to support the development and im-
5 plementation of public-private partnerships to provide advanced technology
6 education and training opportunities in all business and industry sectors for
7 individuals in communities throughout Oregon. The partnerships shall be
8 between public and private entities and may include joint ventures among
9 business and industry, school districts, education service districts, eligible
10 post-secondary institutions as defined in ORS 348.180 and public bodies as
11 defined in ORS 174.109.

12 (2) A public-private partnership that receives a grant or loan under this
13 section must provide advanced technology education and training opportu-
14 nities that:

15 (a) Address current and future workforce development needs dictated by
16 Oregon's rapidly changing economy;

17 (b) Facilitate sustainable and dynamic economic development in commu-
18 nities by creating flexible opportunities for workforce development;

19 (c) Establish results oriented, collaborative investments of public and
20 private resources in communities throughout Oregon;

21 (d) Ensure that Oregon's capacity for economic growth and vitality is not
22 limited by a lack of opportunities for workforce development; and

23 (e) Provide support to existing community efforts to establish innovative
24 strategies for delivering advanced technology education and training.

25 (3) The process established by the commission for making grants and
26 loans shall ensure that:

27 (a) Local communities are informed about the availability of the grants
28 and loans;

29 (b) Advanced technology education and training projects are geograph-
30 ically distributed throughout Oregon;

31 (c) There is equal opportunity for urban and rural access to quality edu-

1 cation and training opportunities;

2 (d) Representatives of related, ongoing community efforts assist in the
3 implementation of advanced technology education and training projects; and

4 (e) Procedures and timelines are designed to minimize barriers to receiv-
5 ing funds.

6 (4) When considering applications for grants and loans, the Office of
7 Community Colleges and Workforce Development shall give priority to ad-
8 vanced technology education and training projects that:

9 (a) Provide or increase access for individuals to advanced technology ed-
10 ucation and training through the efforts of local and regional career centers
11 and partnerships and distance education technology available locally and
12 regionally;

13 (b) In combination with other projects receiving funds, contribute to ad-
14 vanced technology education and training opportunities in every part of the
15 state;

16 (c) Use federal funds;

17 (d) Have widespread community support as evidenced by a memorandum
18 of agreement or similar documentation;

19 (e) Represent an effective sharing of resources through public-private
20 partnerships among business and industry, school districts, education service
21 districts, eligible post-secondary institutions as defined in ORS 348.180 and
22 public bodies as defined in ORS 174.109;

23 (f) Have a long-term strategic plan and lack only the necessary financial
24 resources;

25 (g) Provide state-of-the-art technology that meets current standards of
26 business and industry and addresses local and regional economic develop-
27 ment priorities;

28 (h) Help individuals connect education and training with career planning
29 and job opportunities through local and regional career centers as imple-
30 mented under the federal Workforce [*Investment*] **Innovation and Oppor-**
31 **tunity Act**;

1 (i) Provide articulated education programs that lead to a degree or an
2 industry-specific skills certification; and

3 (j) Establish short-term training programs that meet the immediate needs
4 of local employers in their communities.

5 (5)(a) A public-private partnership awarded a grant or loan under this
6 section shall use the grant or loan for any of the following:

7 (A) Infrastructure construction or reconstruction.

8 (B) Equipment or technology purchases.

9 (C) Curriculum development.

10 (D) Expansion or revision of a current project to increase the capacity
11 of the project, alter the project plan, change the members of the partnership
12 or address education or employment deficiencies in the community served by
13 the public-private partnership.

14 (b) A grant or loan awarded under this section for the purpose described
15 in paragraph (a)(D) of this subsection may not exceed \$25,000.

16 (6) The application for a grant or loan under this section shall include:

17 (a) The names of the members of the public-private partnership;

18 (b) A description of standards used to assess the performance of the
19 project;

20 (c) An estimate of the number of individuals who will be served by the
21 project;

22 (d) The name of the fiscal agent of the public-private partnership;

23 (e) A project plan covering at least the first two years after receipt of a
24 grant or loan; and

25 (f) The name of the person who will be responsible for convening the
26 public-private partnership on a regular basis.

27 (7) The commission may accept contributions of funds and assistance from
28 the United States Government or its agencies or from any other source,
29 public or private, and agree to conditions placed on the funds not inconsis-
30 tent with the purposes of this section.

31 (8) Any moneys received by the commission through repayment of a loan

1 awarded under this section, or received by the commission under subsection
2 (7) of this section, shall be deposited by the commission in the Advanced
3 Technology Education and Training Fund established under ORS 350.165.

4 **SECTION 9.** ORS 413.231 is amended to read:

5 413.231. The Oregon Health Authority, through the Health Care
6 Workforce Committee created pursuant to ORS 413.017, shall work with in-
7 terested parties, which may include Travel Oregon, the State Workforce
8 [*Investment*] **Development** Board, medical schools, physician organizations,
9 hospitals, county and city officials, local chambers of commerce, organiza-
10 tions that promote Oregon or local communities in Oregon, and organiza-
11 tions that recruit health care professionals, to develop a strategic plan for
12 recruiting primary care providers to Oregon. The strategic plan must ad-
13 dress:

- 14 (1) Best recruitment practices and existing recruitment programs;
- 15 (2) Development of materials and information promoting Oregon as a de-
16 sirable place for primary care providers to live and work;
- 17 (3) Development of a pilot program to promote coordinated visiting and
18 recruitment opportunities for primary care providers;
- 19 (4) Potential funding opportunities; and
- 20 (5) The best entities to implement the strategic plan.

21 **SECTION 10.** ORS 413.435 is amended to read:

22 413.435. (1) The Oregon Health Authority, in collaboration with the State
23 Workforce [*Investment*] **Development** Board, shall convene a work group to
24 develop standards for administrative requirements for student placement in
25 clinical training settings in Oregon. The work group may include represen-
26 tatives of:

- 27 (a) State education agencies;
- 28 (b) A public educational institution offering health care professional
29 training;
- 30 (c) Independent or proprietary educational institutions offering health
31 care professional training;

- 1 (d) An employer of health care professionals; and
2 (e) The Health Care Workforce Committee established under ORS 413.017.
3 (2)(a) The work group shall develop standards for:
4 (A) Drug screening;
5 (B) Immunizations;
6 (C) Criminal records checks;
7 (D) Health Insurance Portability and Accountability Act orientation; and
8 (E) Other standards as the work group deems necessary.
9 (b) The standards must apply to students of nursing and allied health
10 professions. The standards may apply to students of other health professions.
11 (c) The standards must pertain to clinical training in settings including
12 but not limited to hospitals and ambulatory surgical centers, as those terms
13 are defined in ORS 442.015.
14 (3) The work group shall make recommendations on the standards devel-
15 oped under this section and the initial and ongoing implementation of the
16 standards to the Oregon Health Policy Board established in ORS 413.006.
17 (4) The authority may establish by rule standards for student placement
18 in clinical training settings that incorporate the standards developed under
19 this section and approved by the Oregon Health Policy Board.

20 **SECTION 11.** ORS 418.658 is amended to read:

21 418.658. (1) The program director of the Oregon Youth Conservation Corps
22 shall establish a separate program known as the Oregon Community
23 Stewardship Corps. In addition to the established purposes of the Oregon
24 Youth Conservation Corps, the purpose of the Oregon Community
25 Stewardship Corps is to promote community service activities throughout the
26 state for a broad cross section of Oregon disadvantaged and at-risk youth
27 through programs that also include appropriate educational and job training
28 opportunities for participants.

29 (2) In addition to projects submitted under ORS 418.660 (1), projects of the
30 Oregon Community Stewardship Corps may include, but shall not be limited
31 to:

1 (a) Child care services.

2 (b) Elderly and disabled care services.

3 (c) Literacy education programs.

4 (d) Recycling and other waste reduction services.

5 (3) The Oregon Community Stewardship Corps shall offer employment and
6 educational opportunities of at least three but not more than 12 months'
7 duration for selected participants.

8 (4) Under rules adopted by the Higher Education Coordinating Commis-
9 sion, participants who successfully complete any 12-month program under
10 this section shall be eligible for \$1,500 in tuition vouchers that can be used
11 at any career school or post-secondary educational institution that is quali-
12 fied to receive assistance through the Executive Director of the Office of
13 Student Access and Completion.

14 (5) All Oregonians who are at least 13 years of age and under 25 years
15 of age are eligible to participate in the program. To ensure that Oregon
16 Community Stewardship Corps participants represent a broad cross section
17 of Oregonians, special emphasis shall be given to recruiting school dropouts
18 and other disadvantaged and at-risk youth, according to criteria established
19 by the Oregon Youth Conservation Corps Advisory Committee.

20 (6) To the extent practicable, the program director shall enlist state and
21 federal agencies, local government, nonprofit organizations and private
22 businesses, and any combination of such entities, to act as sponsors for pro-
23 grams administered under this section. Selection of sponsors shall be based
24 on criteria that include the following:

25 (a) The availability of other resources on a matching basis, including
26 contributions from private sources, other federal, state and local agencies,
27 and moneys available through the federal Workforce [*Investment Act of 1998*
28 (*29 U.S.C. 2801 et seq.*)] **Innovation and Opportunity Act;**

29 (b) The provision of related educational and job training programs to
30 participants, including but not limited to school and college coursework,
31 General Educational Development (GED) tests equivalency training, project-

1 related education and professional training;

2 (c) Assurances that proposed projects will not displace existing employees
3 or duplicate existing private or government programs; and

4 (d) Assurances that proposed projects are devoted to the enhancement of
5 the community and are not based in maintenance activities and that these
6 projects meet an identified need.

7 (7) In consultation with the advisory committee [*and the Director of the*
8 *Office of Community Colleges and Workforce Development*], the program di-
9 rector shall make grants for programs administered under this section.

10 **SECTION 12.** ORS 458.675 is amended to read:

11 458.675. The Legislative Assembly finds that:

12 (1) The problem of poverty will not be solved solely by government pro-
13 grams and income subsidies.

14 (2) Family economic well-being does not come solely from income, spend-
15 ing or consumption, but instead requires savings, investment and the accu-
16 mulation of assets.

17 (3) It is appropriate for the state to institute an asset-based antipoverty
18 strategy.

19 (4) The state has an opportunity to take advantage of private and federal
20 resources by making the transition to an asset-based antipoverty strategy.
21 Those resources include, but are not limited to, the Assets for Independence
22 Act (42 U.S.C. 604) and the Workforce [*Investment Act (P.L. 105-220)*] **Inno-**
23 **vation and Opportunity Act (29 U.S.C. 3101 et seq.).**

24 (5) Investment through an individual development account system will
25 help lower income households obtain the assets they need to succeed. Com-
26 munities and this state will experience resultant economic and social bene-
27 fits accruing from the promotion of job training and higher education, home
28 ownership and small business development.

29 (6) It is desirable for this state to enact legislation that enables an au-
30 thorized fiduciary organization sufficient flexibility to receive private, state
31 and federal moneys for individual development accounts. The Legislative

1 Assembly should periodically review the provisions of ORS 458.675 to 458.700
2 to ensure that this state maximizes the receipt of available federal moneys
3 for individual development accounts.

4 **SECTION 13.** ORS 461.740 is amended to read:

5 461.740. (1) It is the policy of the State of Oregon that any firm receiving
6 benefit from state lottery-funded programs should undertake a good faith ef-
7 fort to hire and retain as employees low-income individuals who have re-
8 ceived job training assistance from publicly funded job training providers.

9 (2) The Oregon Business Development Department may require any firm
10 receiving benefit from state lottery-funded programs the department admin-
11 isters to enter into a first-source hiring agreement with publicly funded job
12 training providers.

13 (3) Publicly funded job training providers shall coordinate their services
14 and establish an agreement outlining the process by which they will respond
15 to firms receiving benefit. This agreement shall be submitted to the depart-
16 ment for its review and approval.

17 (4) As used in this section:

18 (a) "Firm receiving benefit" means any business that benefits directly or
19 substantially from any program financed by state lottery funds and is certi-
20 fied as such a firm by the state agency that administers the lottery-funded
21 program.

22 (b) "First-source hiring agreement" means an agreement between a firm
23 receiving benefits and a publicly funded job training provider whereby the
24 job provider refers qualified candidates to the firm for new jobs and job
25 openings, excluding professional, managerial, technical and seasonal posi-
26 tions which the Director of the Oregon Business Development Department
27 determines cannot be filled by persons likely to be referred by publicly
28 funded job training providers.

29 (c) "Publicly funded job training provider" includes, but is not limited to,
30 community colleges, service providers under the federal Workforce [*Invest-*
31 *ment Act Title I-B (29 U.S.C. 2801 et seq.)*] **Innovation and Opportunity**

1 **Act** and other similar programs.

2 **SECTION 14.** ORS 470.710 is amended to read:

3 470.710. (1) The State Department of Energy shall collaborate with the
4 State Workforce [*Investment*] **Development** Board and other interested par-
5 ties to identify opportunities for apprenticeship and for job training and de-
6 velopment that would further the goals of ORS 470.500 to 470.710 and provide
7 valuable skills to Oregon workers.

8 (2) In adopting any rules for carrying out apprenticeship and job training
9 and development under the energy efficiency and sustainable technology loan
10 program, the department and the board shall consult with representatives
11 from:

- 12 (a) State workforce programs;
- 13 (b) Organized labor;
- 14 (c) The State Apprenticeship and Training Council;
- 15 (d) The Bureau of Labor and Industries; and
- 16 (e) Consumer advocacy organizations.

17 (3) In addition to consulting with entities described in subsection (2) of
18 this section, in adopting any rules for carrying out apprenticeship and job
19 training and development under the energy efficiency and sustainable tech-
20 nology loan program, the department and the board may seek input from
21 organizations representing construction contractors.

22 **SECTION 15.** ORS 657.345 is amended to read:

23 657.345. (1) Individuals who are identified as dislocated workers under the
24 federal Workforce [*Investment Act of 1998 (29 U.S.C. 2801 et seq.)*] **Inno-**
25 **vation and Opportunity Act**, and implementing regulations, and who at-
26 tend training programs identified under the Act shall be considered to be in
27 approved career and technical training. The training shall be for occupations
28 or skills for which there are or are expected to be reasonable employment
29 opportunities in the area or in another area to which the individual is will-
30 ing to relocate or which relate to the development of a self-employment en-
31 terprise for which there is reasonable opportunity for success.

1 (2) In approving career and technical training for eligible dislocated
2 workers who do not attend training programs identified in subsection (1) of
3 this section, the Director of the Employment Department shall require:

4 (a) That the career and technical training relates to an occupation or
5 skill for which there are, or are expected to be, reasonable employment op-
6 portunities in this state or relates to the development of a self-employment
7 enterprise for which there is a reasonable opportunity for success.

8 (b) That the individual has the qualifications and aptitudes to success-
9 fully complete such career and technical training.

10 **SECTION 16.** ORS 657.380 is amended to read:

11 657.380. (1) Notwithstanding any other provision of this chapter, for the
12 purposes of ORS 657.370 to 657.390, an individual is unemployed and eligible
13 to receive shared work benefits with respect to any week if, in addition to
14 meeting all other eligibility requirements of this chapter, the Director of the
15 Employment Department finds that:

16 (a) During the week the individual is employed as a member of an affected
17 group in an approved plan that was approved prior to the week and is in
18 effect for the week.

19 (b) During the week the individual's normal weekly hours of work were
20 reduced, in accordance with an approved plan, at least 20 percent but not
21 more than 40 percent, with a corresponding reduction in wages.

22 (2) Shared work benefits may not be paid to an eligible individual in an
23 amount greater than 26 times the individual's weekly benefit amount of
24 regular benefits.

25 (3) The total amount of regular benefits and shared work benefits paid to
26 an individual in a benefit year may not exceed the total for the benefit year
27 as provided in ORS 657.150 (5).

28 (4) An otherwise eligible individual may not be denied benefits under this
29 section:

30 (a) Because of the application of any provision of this chapter relating
31 to availability for work, active search for work or refusal to apply for or

1 accept work from other than the individual's shared work employer.

2 (b) For participating in training to enhance the job skills of the individ-
3 ual, if the training is sponsored by the employer or funded under the federal
4 Workforce [*Investment Act of 1998 (29 U.S.C. 2801 et seq.)*] **Innovation and**
5 **Opportunity Act**, and approved by the director.

6 **SECTION 17.** ORS 657.610 is amended to read:

7 657.610. The Director of the Employment Department may:

8 (1) For purposes of administration and control, and with the approval of
9 the Governor, organize and reorganize the department in whatever manner
10 the director considers appropriate to carry out the duties, functions and
11 powers of the department.

12 (2) Appoint all subordinate officers and employees of the department,
13 whether classified or unclassified, and prescribe their duties and compen-
14 sation, subject to applicable provisions of the State Personnel Relations Law.

15 (3) Delegate to departmental officers and employees such responsibility
16 and authority as the director determines necessary.

17 (4)(a) Determine all questions of general policy for this chapter;

18 (b) Adopt rules for this chapter; and

19 (c) Administer and enforce this chapter.

20 (5) Sue and be sued in the name of the director, and shall have a seal
21 bearing the name of the Employment Department.

22 (6) Adopt proper rules to regulate the mode and manner of all investi-
23 gations.

24 (7) Prescribe the time, place and manner of making claims for benefits
25 under this chapter, the kind and character of notices required thereunder
26 and the procedure for investigating and deciding claims.

27 (8) Enter into contracts relating to the federal Workforce [*Investment*]
28 **Innovation and Opportunity Act** deemed necessary by the director to ful-
29 fill the mission of the department. The director may enter into contracts with
30 other states or governments, public bodies or persons to provide or receive
31 services. Contracts entered into by the director shall be executed in the name

1 of the state, by and through the Employment Department.

2 **SECTION 18.** ORS 657.665 is amended to read:

3 657.665. (1) Except as provided in subsections (2) to (5) of this section, all
4 information in the records of the Employment Department pertaining to the
5 administration of the unemployment insurance, employment service and labor
6 market information programs:

7 (a) Is confidential and for the exclusive use and information of the Di-
8 rector of the Employment Department in administering the unemployment
9 insurance, employment service and labor market information programs in
10 Oregon.

11 (b) May not be used in any court action or in any proceeding pending in
12 the court unless the director or the state is a party to the action or pro-
13 ceeding or unless the proceeding concerns the establishment, enforcement or
14 modification of a support obligation and support services are being provided
15 by the Division of Child Support or the district attorney pursuant to ORS
16 25.080.

17 (c) Is exempt from disclosure under ORS 192.410 to 192.505.

18 (2) The Employment Department shall disclose information:

19 (a) To any claimant or legal representative, at a hearing before an ad-
20 ministrative law judge, to the extent necessary for the proper presentation
21 of an unemployment insurance claim.

22 (b) Upon request to the United States Secretary of Labor. The Employ-
23 ment Department shall disclose the information in a form and containing the
24 information that the United States Secretary of Labor may require. The in-
25 formation disclosed is confidential and may not be used for any other pur-
26 pose.

27 (c) Pursuant to section 303(a)(7) of the Social Security Act, upon request
28 to any agency of the United States charged with the administration of public
29 works or assistance through public employment. Under this paragraph, the
30 Employment Department shall disclose the name, address, ordinary occupa-
31 tion and employment status of each recipient of unemployment insurance

1 benefits and a statement of the recipient's right to further benefits under this
2 chapter. The information disclosed is confidential and may not be used for
3 any other purpose.

4 (d) Pursuant to section 303(c)(1) of the Social Security Act, to the Rail-
5 road Retirement Board. Under this paragraph, the Employment Department
6 shall disclose unemployment insurance records. The information disclosed is
7 confidential and may not be used for any other purpose. The costs of dis-
8 closing information under this paragraph shall be paid by the board.

9 (e) Pursuant to section 303(d) of the Social Security Act, upon request to
10 officers and employees of the United States Department of Agriculture and
11 to officers or employees of any state Supplemental Nutrition Assistance
12 Program agency for the purpose of determining an individual's eligibility for
13 or the amount of supplemental nutrition assistance. The information dis-
14 closed is confidential and may not be used for any other purpose. The costs
15 of disclosing information under this paragraph shall be paid by the United
16 States Department of Agriculture.

17 (f) Pursuant to section 303(e)(1) and (2)(A)(ii) of the Social Security Act,
18 to state or local child support enforcement agencies enforcing child support
19 obligations under Title IV-D of the Social Security Act for the purposes of
20 establishing child support obligations, locating individuals owing child sup-
21 port obligations and collecting child support obligations from those individ-
22 uals. The information disclosed is confidential and may not be used for any
23 other purpose. The costs of disclosing information under this paragraph shall
24 be paid by the child support enforcement agency.

25 (g) Pursuant to sections 303(f) and 1137 of the Social Security Act, to
26 agencies participating in the income and eligibility verification system for
27 the purpose of verifying an individual's eligibility for benefits, or the amount
28 of benefits, under unemployment insurance, temporary assistance for needy
29 families, Medicaid, the Supplemental Nutrition Assistance Program, Supple-
30 mental Security Income, child support enforcement or Social Security pro-
31 grams. The information disclosed is confidential and may not be used for any

1 other purpose. The costs of disclosing information under this paragraph shall
2 be paid by the requesting agency.

3 (h) Pursuant to section 303(h) of the Social Security Act and section
4 3304(a)(16)(B) of the Federal Unemployment Tax Act, to the United States
5 Department of Health and Human Services National Directory of New Hires.
6 The information disclosed is confidential and may not be used for any other
7 purpose. The costs of disclosing information under this paragraph shall be
8 paid by the United States Department of Health and Human Services.

9 (i) Pursuant to section 303(i) of the Social Security Act, to officers and
10 employees of the United States Department of Housing and Urban Develop-
11 ment and to representatives of a public housing agency for the purpose of
12 determining an individual's eligibility for benefits, or the amount of benefits,
13 under a housing assistance program of the United States Department of
14 Housing and Urban Development. The information disclosed is confidential
15 and may not be used for any other purpose. The costs of disclosing informa-
16 tion under this paragraph shall be paid by the United States Department of
17 Housing and Urban Development or the public housing agency.

18 (j) Pursuant to regulations of the United States Secretary of Health and
19 Human Services issued under section 3304(a)(16)(A) of the Federal Unem-
20 ployment Tax Act, and except as required by section 303 of the Social Secu-
21 rity Act, to the state, a political subdivision or a federally recognized Indian
22 tribe that has signed an agreement with the Department of Human Services
23 to administer Part A of Title IV of the Social Security Act for the purpose
24 of determining an individual's eligibility for assistance, or the amount of
25 assistance, under a program funded under Part A of Title IV of the Social
26 Security Act. The information disclosed is confidential and may not be used
27 for any other purpose.

28 (k) Upon request, to the United States Attorney's Office. Under this
29 paragraph, the Employment Department may disclose an individual's em-
30 ployment and wage information in response to a federal grand jury subpoena
31 or for the purpose of collecting civil and criminal judgments, including

1 restitution and special assessment fees. The information disclosed is confi-
2 dential and may not be used for any other purpose. The costs of disclosing
3 information under this paragraph shall be paid by the United States
4 Attorney's Office.

5 (3) The Employment Department may disclose information secured from
6 employing units:

7 (a) To agencies of this state, federal agencies and local government
8 agencies to the extent necessary to properly carry out governmental plan-
9 ning, performance measurement, program analysis, socioeconomic analysis
10 and policy analysis functions performed under applicable law. The informa-
11 tion disclosed is confidential and may not be disclosed by the agencies in any
12 manner that would identify individuals, claimants, employees or employing
13 units. If the information disclosed under this paragraph is not prepared for
14 the use of the Employment Department, the costs of disclosing the informa-
15 tion shall be paid by the agency requesting the information.

16 (b) As part of a geographic information system. Points on a map may be
17 used to represent economic data, including the location, employment size
18 class and industrial classification of businesses in Oregon. Information pre-
19 sented as part of a geographic information system may not give specific de-
20 tails regarding a business's address, actual employment or proprietary
21 information. If the information disclosed under this paragraph is not pre-
22 pared for the use of the Employment Department, the costs of disclosing the
23 information shall be paid by the party requesting the information.

24 (c) In accordance with ORS 657.673.

25 (4) The Employment Department may:

26 (a) Disclose information to public employees in the performance of their
27 duties under state or federal laws relating to the payment of unemployment
28 insurance benefits, the provision of employment services and the provision
29 of labor market information.

30 (b) At the discretion of the Director of the Employment Department and
31 subject to an interagency agreement, disclose information to public officials

1 in the performance of their official duties administering or enforcing laws
2 within their authority and to the agents or contractors of public officials.
3 The public official shall agree to assume responsibility for misuse of the in-
4 formation by the official's agent or contractor.

5 (c) Disclose information pursuant to an informed consent, received from
6 an employer or claimant, to disclose the information.

7 (d) Disclose information to partners under the federal Workforce [*Invest-*
8 *ment Act of 1998*] **Innovation and Opportunity Act** for the purpose of ad-
9 ministering state workforce programs under the Act. The information
10 disclosed is confidential and may not be used for any other purpose. The
11 costs of disclosing information under this paragraph shall be paid by the
12 requesting partner.

13 (e) Disclose the names and addresses of employing units to the Bureau
14 of Labor and Industries for the purpose of disseminating information to em-
15 ploying units. The names and addresses disclosed are confidential and may
16 not be used for any other purpose. If the information disclosed under this
17 paragraph is not prepared for the use of the Employment Department, the
18 costs of disclosing the information shall be paid by the bureau.

19 (f) Disclose information to the Commissioner of the Bureau of Labor and
20 Industries for the purpose of performing duties under ORS 279C.800 to
21 279C.870, 658.005 to 658.245 or 658.405 to 658.503 or ORS chapter 652, 653 or
22 659A. The information disclosed may include the names and addresses of
23 employers and employees and payroll data of employers and employees. The
24 information disclosed is confidential and may not be used for any other
25 purpose. If the information disclosed under this paragraph is not prepared
26 for the use of the Employment Department, the costs of disclosing the in-
27 formation shall be paid by the bureau.

28 (g) Disclose information required under ORS 657.660 (3) and (4) to the
29 Public Employees Retirement System for the purpose of determining the el-
30 igibility of members of the retirement system for disability retirement al-
31 lowances under ORS chapter 238. The information disclosed is confidential

1 and may not be used for any other purpose. The costs of disclosing informa-
2 tion under this paragraph shall be paid by the Public Employees Retirement
3 System.

4 (h) Disclose to the Oregon Business Development Commission information
5 required by the commission in performing its duty under ORS 285A.050 to
6 verify changes in employment levels following direct employer participation
7 in Oregon Business Development Department programs or indirect partic-
8 ipation through municipalities under ORS 285B.410 to 285B.482. The infor-
9 mation disclosed to the commission may include an employer's employment
10 level, total subject wages payroll and whole hours worked. The information
11 disclosed is confidential and may not be used for any other purpose. The
12 commission may not disclose the information in any manner that would
13 identify an employing unit or employee except to the extent necessary to
14 carry out the commission's duty under ORS 285A.050. If the information
15 disclosed under this paragraph is not prepared for the use of the Employment
16 Department, the costs of disclosing the information shall be paid by the
17 commission.

18 (i) Disclose information to the Department of Revenue for the purpose of
19 performing its duties under ORS 293.250 or under the revenue and tax laws
20 of this state. The information disclosed may include the names and addresses
21 of employers and employees and payroll data of employers and employees.
22 The information disclosed is confidential and may not be disclosed by the
23 Department of Revenue in any manner that would identify an employing unit
24 or employee except to the extent necessary to carry out the department's
25 duties under ORS 293.250 or in auditing or reviewing any report or return
26 required or permitted to be filed under the revenue and tax laws adminis-
27 tered by the department. The Department of Revenue may not disclose any
28 information received to any private collection agency or for any other pur-
29 pose. If the information disclosed under this paragraph is not prepared for
30 the use of the Employment Department, the costs of disclosing the informa-
31 tion shall be paid by the Department of Revenue.

1 (j) Disclose information to the Department of Consumer and Business
2 Services for the purpose of performing its duties under ORS chapters 654 and
3 656. The information disclosed may include the name, address, number of
4 employees and industrial classification code of an employer and payroll data
5 of employers and employees. The information disclosed is confidential and
6 may not be disclosed by the Department of Consumer and Business Services
7 in any manner that would identify an employing unit or employee except to
8 the extent necessary to carry out the department's duties under ORS chap-
9 ters 654 and 656, including administrative hearings and court proceedings in
10 which the Department of Consumer and Business Services is a party. If the
11 information disclosed under this paragraph is not prepared for the use of the
12 Employment Department, the costs of disclosing the information shall be
13 paid by the Department of Consumer and Business Services.

14 (k) Disclose information to the Construction Contractors Board for the
15 purpose of performing its duties under ORS chapter 701. The information
16 disclosed to the board may include the names and addresses of employers and
17 status of their compliance with this chapter. If the information disclosed
18 under this paragraph is not prepared for the use of the Employment De-
19 partment, the costs of disclosing the information shall be paid by the board.

20 (L) Disclose information to the State Fire Marshal to assist the State Fire
21 Marshal in carrying out duties under ORS 453.307 to 453.414. The informa-
22 tion disclosed may include the name, address, telephone number and indus-
23 trial classification code of an employer. The information disclosed is
24 confidential and may not be disclosed by the State Fire Marshal in any
25 manner that would identify an employing unit except to the extent necessary
26 to carry out duties under ORS 453.307 to 453.414. If the information disclosed
27 under this paragraph is not prepared for the use of the Employment De-
28 partment, the costs of disclosing the information shall be paid by the office
29 of the State Fire Marshal.

30 (m) Disclose information to the Higher Education Coordinating Commis-
31 sion for the purpose of performing the commission's duties under ORS chap-

1 ter 348 and Title IV of the Higher Education Act of 1965. The information
2 disclosed may include the names and addresses of employers and employees
3 and payroll data of employers and employees. The information disclosed is
4 confidential and may not be disclosed by the commission in any manner that
5 would identify an employing unit or employee except to the extent necessary
6 to carry out the commission's duties under ORS chapter 348 or Title IV of
7 the Higher Education Act of 1965. If the information disclosed under this
8 paragraph is not prepared for the use of the Employment Department, the
9 costs of disclosing the information shall be paid by the commission.

10 (n) Disclose information to the Department of Transportation to assist the
11 Department of Transportation in carrying out the duties of the Department
12 of Transportation relating to collection of delinquent and liquidated debts,
13 including taxes, under ORS 184.610 to 184.656, 184.670 to 184.733 and 805.263,
14 ORS chapter 319 and the Oregon Vehicle Code. The information disclosed
15 may include the names and addresses of employers and employees and payroll
16 data of employers and employees. The information disclosed is confidential
17 and may not be disclosed by the Department of Transportation in any man-
18 ner that would identify an employing unit or employee except to the extent
19 necessary to carry out the Department of Transportation's duties relating to
20 collection of delinquent and liquidated debts or in auditing or reviewing any
21 report or return required or permitted to be filed under the revenue and tax
22 laws administered by the Department of Transportation. The Department of
23 Transportation may not disclose any information received to any private
24 collection agency or for any other purpose. If the information disclosed under
25 this paragraph is not prepared for the use of the Employment Department,
26 the costs of disclosing the information shall be paid by the Department of
27 Transportation.

28 (o) Disclose information to the Department of Human Services and the
29 Oregon Health Authority to assist the Department of Human Services and
30 the Oregon Health Authority in the collection of debts that the Department
31 of Human Services and the Oregon Health Authority are authorized by law

1 to collect. The information disclosed may include the names, addresses and
2 payroll data of employers and employees. The information disclosed is con-
3 fidential and may not be disclosed by the Department of Human Services or
4 the Oregon Health Authority in a manner that would identify an employing
5 unit or employee except to the extent necessary for the collection of debts
6 as described in this paragraph. The Department of Human Services and the
7 Oregon Health Authority may not disclose information received under this
8 paragraph to a private collection agency or use the information for a purpose
9 other than the collection of debts as described in this paragraph. If the in-
10 formation disclosed under this paragraph is not prepared for the use of the
11 Employment Department, the costs of disclosing the information shall be
12 paid by the Department of Human Services or the Oregon Health Authority.

13 (p) Disclose to the Alcohol and Drug Policy Commission information re-
14 quired by the commission in evaluating and measuring the performance of
15 alcohol and drug prevention and treatment programs under ORS 430.242 or
16 the impact of the programs on employment. The information disclosed to the
17 commission may include total subject wages payroll and whole hours worked.
18 The information disclosed under this paragraph is confidential and may not
19 be used for any other purpose. The commission may not disclose the infor-
20 mation in any manner that would identify an employing unit or employee
21 except to the extent necessary to carry out the commission's duties under
22 ORS 430.242. If the information disclosed under this paragraph is not pre-
23 pared for the use of the Employment Department, the costs of disclosing the
24 information shall be paid by the commission.

25 (q) Disclose to any person establishment level information secured pur-
26 suant to this chapter from federal, state and local government employing
27 units. If the information disclosed under this paragraph is not prepared for
28 the use of the Employment Department, the costs of disclosing the informa-
29 tion shall be paid by the party requesting the information.

30 (r) Disclose to any person the industrial classification code assigned to
31 an employing unit. If the information disclosed under this paragraph is not

1 prepared for the use of the Employment Department, the costs of disclosing
2 the information shall be paid by the party requesting the information.

3 (5) The Employment Department may make public all decisions of the
4 Employment Appeals Board.

5 (6) Any officer appointed by or any employee of the Director of the Em-
6 ployment Department who discloses confidential information, except with the
7 authority of the director, pursuant to rules or as otherwise required by law,
8 may be disqualified from holding any appointment or employment with the
9 Employment Department.

10 (7) Any person or any officer or employee of an entity to whom informa-
11 tion is disclosed by the Employment Department under this section who
12 divulges or uses the information for any purpose other than that specified
13 in the provision of law or agreement authorizing the use or disclosure may
14 be disqualified from performing any service under contract or disqualified
15 from holding any appointment or employment with the state agency that
16 engaged or employed that person, officer or employee. The Employment De-
17 partment may immediately cancel or modify any information sharing agree-
18 ment with an entity when a person or an officer or employee of that entity
19 discloses confidential information, other than as specified in law or agree-
20 ment.

21 **SECTION 19.** ORS 657.710 is amended to read:

22 657.710. (1) The Director of the Employment Department shall establish
23 and maintain such free public employment offices, including such branch or
24 affiliate offices, as may be necessary for the proper administration of this
25 chapter and for participation in Oregon's workforce [*investment*] **develop-**
26 **ment** system.

27 (2) The director may enter into such contracts or memoranda of under-
28 standing with designated workforce [*investment*] **development** system part-
29 ners, including but not limited to other states and governments, government
30 entities, state agencies, units of local government, intergovernmental enti-
31 ties, community colleges and persons, as appropriate to administer the

1 workforce [*investment*] **development** system.

2 (3) The director may enter into contracts or memoranda of understanding
3 to share confidential information as authorized under federal law and regu-
4 lations for purposes of a national performance accounting system, including
5 receiving and making available wage records to the extent the wage records
6 are required by another state to carry out that state's workforce
7 [*investment*] **development** system performance plan.

8 (4) All moneys made available by or received by the state for the Oregon
9 State Employment Service shall be paid to and expended from the Unem-
10 ployment Compensation Administration Fund.

11 (5) Each contracting agency shall provide to the director timely informa-
12 tion pertinent to all existing job vacancies over which the contracting
13 agency exercises employment control and for which there will be open
14 recruitment. Such information shall be made available to the public by the
15 director. As used in this subsection, "contracting agency" has the meaning
16 given that term in ORS 279A.010.

17 **SECTION 20.** ORS 657.730 is amended to read:

18 657.730. (1) As used in this section, unless the context requires otherwise:

19 (a) "Labor market analysis" means the measurement and evaluation of
20 economic forces as they relate to the employment process in the local labor
21 market area. Variables affecting labor market relationships include, but are
22 not limited to, such factors as labor force changes and characteristics, pop-
23 ulation changes and characteristics, occupational and industrial structure
24 and development, technological developments, shifts in consumer demand,
25 volume and extent of unionization and trade disputes, recruitment practices,
26 wage levels, conditions of employment and training opportunities.

27 (b) "Labor market area" means an economically integrated geographic
28 area within which individuals can reside and find employment within a rea-
29 sonable distance or can readily change employment without changing their
30 place of residence. Such areas shall be identified in accordance with criteria
31 used by the Bureau of Labor Statistics of the United States Department of

1 Labor in defining such areas or similar criteria established by the Director
2 of the Employment Department. The area generally takes the name of its
3 community. The boundaries depend primarily on economic and geographic
4 factors. The State of Oregon is divided into labor market areas, which usu-
5 ally include a county or group of contiguous counties.

6 (c) "Labor market information" means the body of information generated
7 from measurement and evaluation of the socioeconomic factors and variables
8 influencing the employment process in the state and specific labor market
9 areas. These socioeconomic factors and variables affect labor demand and
10 supply relationships and include:

11 (A) Labor force information, which includes but is not limited to em-
12 ployment, unemployment, labor force participation, labor turnover and mo-
13 bility, average hours and earnings and changes and characteristics of the
14 population and labor force within specific labor market areas and the state;

15 (B) Occupational information, which includes but is not limited to occu-
16 pational supply and demand estimates and projections, characteristics of oc-
17 cupations, wage levels, job duties, training and education requirements,
18 conditions of employment, unionization, retirement practices and training
19 opportunities;

20 (C) Economic information, which includes but is not limited to number
21 of business starts and stops by industry and labor market area, information
22 on employment growth and decline by industry and labor market area, em-
23 ployer establishment data and number of union disputes and strikes by in-
24 dustry and labor market area; and

25 (D) Program information, which includes but is not limited to program
26 participant or student information gathered in cooperation with other state
27 and local agencies along with related labor market information to evaluate
28 the effectiveness, efficiency and impact of state and local employment,
29 training, education and job creation efforts in support of planning, manage-
30 ment, implementation and evaluation.

31 (2) The Director of the Employment Department shall have the following

1 duties:

2 (a) Oversight, operation and management of a statewide comprehensive
3 labor market and occupational supply and demand information system, in-
4 cluding development of a five-year employment forecast for state and labor
5 market areas.

6 (b) Preparation of local labor market information packages for the state's
7 workforce system, including special studies and job impact analyses in sup-
8 port of state and local employment, training, education and job creation
9 programs, especially activities that prevent job loss, reduce unemployment
10 and create jobs.

11 (c) Coordination with other appropriate public agencies to improve em-
12 ployment estimates by enhancing data on corporate officers, improving busi-
13 ness establishment listings, expanding samples for employment estimates and
14 developing business entry or exit analysis relevant to the generation of oc-
15 cupational and economic forecasts.

16 (d) Production of long-term and occupational employment forecasts in
17 cooperation with other appropriate agencies.

18 (e) Coordination with state workforce agencies as defined in ORS 660.300
19 to study ways to standardize federal and state multiagency administrative
20 records, such as unemployment insurance information and other information
21 to produce employment, training, education and economic analysis needed to
22 improve labor market information products and services.

23 (f) Production of labor market information and economic analysis needed
24 to facilitate the efficient and effective matching of the supply and demand
25 of labor critical to an effective labor exchange in Oregon. Information col-
26 lected will be coordinated with other public agencies through cooperative
27 data collection efforts for statistical analysis, research or studies including,
28 but not limited to, agricultural labor supply and demand, high performance
29 organizations, targeted industries programs, and industrial improvement and
30 expansion.

31 (g) Administration of other appropriate labor market information activ-

1 ities including support of efforts by local workforce [*investment*] **develop-**
2 **ment** boards, as defined in ORS 660.300, to align economic development,
3 education and training with workforce development investments and services
4 for job seekers and businesses to efficiently address local labor market needs
5 and statewide workforce development priorities.

6 (3) To implement this section, the director shall have authority to:

7 (a) Establish rules and procedures to recover reasonable costs incurred
8 in producing and providing:

9 (A) Labor market information products developed by the Employment
10 Department in the ordinary course of business when the request results in
11 costs over and above the ordinary costs of production including, but not
12 limited to, special publication runs, photocopying or supplying the copy in
13 some other medium; and

14 (B) Special labor market information products in response to individual
15 requests that incur costs beyond the ordinary costs of doing business in-
16 cluding, but not limited to, computer time, staff costs, preparation and dis-
17 tribution of surveys, electronic scanning, and special data collection,
18 formatting and analysis. The director may enter into agreements with other
19 public agencies to provide special labor market information products in a
20 quid pro quo arrangement.

21 (b) Receive federal set aside funds from federal programs that are au-
22 thorized to fund state and local labor market information and are required
23 to use such information in support of their programs.

24 (c) Enter into agreements for statistical analysis, research or evaluation
25 studies of privately and publicly funded employment, training, education and
26 economic development programs.

27 **SECTION 21.** ORS 657.734 is amended to read:

28 657.734. (1) As used in this section:

29 (a) “Public body” has the meaning given that term in ORS 192.410.

30 (b) “System participant” means:

31 (A) Mandatory partners under the federal Workforce [*Investment Act of*

1 1998 (enacted as P.L. 105-220 and codified as 29 U.S.C. 2801 et seq.)] **Inno-**
2 **vation and Opportunity Act** and other one-stop system partners, which
3 may include public bodies and private organizations; and

4 (B) Public bodies and private organizations that have been approved by
5 the Director of the Employment Department, in consultation with the Edu-
6 cation and Workforce Policy Advisor, to participate in the Performance Re-
7 porting Information System.

8 (2) There is established the Performance Reporting Information System
9 for the purpose of collecting, analyzing and sharing statistical and demo-
10 graphic data for the development and reporting of workforce system per-
11 formance measures.

12 (3) The Performance Reporting Information System is intended to share
13 the data described in subsection (2) of this section, by agreement, with all
14 system participants.

15 (4) The Director of the Employment Department shall administer and, in
16 consultation with the Education and Workforce Policy Advisor, oversee the
17 development of the Performance Reporting Information System. System par-
18 ticipants shall be designated as participants in the system by rule of the
19 Employment Department, in consultation with the Education and Workforce
20 Policy Advisor. A system participant shall enter into an interagency or other
21 applicable agreement with the director that:

22 (a) Establishes protocols for the collection and sharing of data in the
23 system;

24 (b) Establishes safeguards for protecting the confidentiality of data in the
25 system;

26 (c) Includes provisions regarding informed consent for sharing informa-
27 tion obtained from individuals; and

28 (d) Provides for the sharing of costs for developing and maintaining the
29 system.

30 (5)(a) All individual record information in the Performance Reporting In-
31 formation System is confidential and may not be disclosed as a public record

1 under the provisions of ORS 192.410 to 192.505. As administrator of the sys-
2 tem, the director may view all data or individual record information in the
3 system. System participants may not allow public access to information re-
4 ceived from the system that identifies a particular individual unless required
5 by law. System participants shall limit the disclosure of, or refuse to dis-
6 close, aggregate or summary level information when a small number of ag-
7 gregated records or some other factor creates a reasonable risk that the
8 identity of individuals may be discovered or disclosed.

9 (b) System participants shall provide information in a format that encodes
10 identifying data, including the client's Social Security number, using a for-
11 mula unique to the system participant. In disclosing Social Security num-
12 bers to the system, system participants shall comply with any state and
13 federal laws that govern the collection and use of Social Security numbers
14 by the system participant and any additional requirements specified by the
15 director, in consultation with the Education and Workforce Policy Advisor,
16 that are included in the agreement entered into under subsection (4) of this
17 section.

18 (6) The information in the Performance Reporting Information System is
19 not a public record for purposes of ORS 192.410 to 192.505. For purposes of
20 ORS 192.410 to 192.505, the information submitted to the system and the in-
21 formation received from the system is a public record, and the custodian of
22 such information is the system participant that submits or receives the in-
23 formation. If the system participant receiving the information is not a public
24 body, the department shall keep a copy of the system information sent to that
25 system participant and shall be the custodian of that copy for purposes of
26 ORS 192.410 to 192.505. As custodian, the department shall limit the disclo-
27 sure of, or refuse to disclose, aggregate or summary level information when
28 a small number of aggregated records or some other factor creates a rea-
29 sonable risk that the identity of individuals may be discovered or disclosed.
30 The department shall refer all other requests for disclosure of system infor-
31 mation to the public body that is the custodian of the information.

1 (7) The department may charge a reasonable fee under ORS 192.440 for
2 the disclosure of reports containing only aggregate data to individuals, pub-
3 lic bodies or private organizations.

4 (8) If a system participant prepares or acquires a record that is confi-
5 dential under federal or state law, including ORS 192.502 (2), the system
6 participant does not violate state confidentiality laws by providing the in-
7 formation described in this section to the Performance Reporting Information
8 System. Notwithstanding the provisions of ORS 279C.815 (4), 279C.850 (3),
9 657.665 and 660.339, the Bureau of Labor and Industries, the [*Office of Com-*
10 *munity Colleges and Workforce Development*] **Higher Education Coordinat-**
11 **ing Commission** and the Employment Department are authorized to provide
12 information to the system.

13 (9) Any individual who, without proper authority, discloses confidential
14 information under this section may be disqualified from holding any ap-
15 pointment or employment with the State of Oregon. The department shall
16 adopt by rule procedures to prevent disclosure of confidential information
17 submitted to the Performance Reporting Information System.

18 **SECTION 22.** ORS 660.120 is amended to read:

19 660.120. (1) The State Apprenticeship and Training Council, under the di-
20 rection of the Apprenticeship and Training Division of the Bureau of Labor
21 and Industries, shall enforce the provisions of ORS 660.002 to 660.210 in order
22 to carry out the intent and purposes of those provisions. The State Director
23 of Apprenticeship and Training, the division and the council may conduct
24 investigations, issue subpoenas and subpoenas duces tecum, obtain evidence,
25 administer oaths and take testimony in all matters relating to the council's
26 duties and functions as set forth in ORS 660.002 to 660.210 when the infor-
27 mation sought is relevant to a lawful investigative purpose and is reasonable
28 in scope. The council and the division shall adopt rules for gathering infor-
29 mation through subpoenas or testimony. The rules must include procedures
30 through which a party may object to providing information. After being
31 served with a subpoena, if a person refuses, without reasonable cause, to be

1 examined, to answer any question or to produce any document or other thing
2 as required by the subpoena, the director, the division or the council may
3 petition the circuit court in the county in which the investigation is pending
4 for an order directing the person to show cause why the person has not
5 complied with the subpoena and should not be held in contempt. The direc-
6 tor, division or council shall serve the court's order upon the person in the
7 manner provided by ORCP 55 D. If the person fails to show cause for the
8 noncompliance, the court shall order the person to comply with the subpoena
9 within such time as the court shall direct and may hold the person in con-
10 tempt.

11 (2) The division, on behalf of the council, may bring suit in a court of
12 proper jurisdiction in the name of the Bureau of Labor and Industries, or in
13 the name of an apprentice on behalf of the apprentice, through the district
14 attorney or the Attorney General.

15 (3) The council and the division may adopt rules that are reasonably
16 necessary to enforce and administer ORS 660.002 to 660.210. In adopting the
17 rules, the council and the division shall comply with ORS chapter 183. In
18 addition, if the council and the division find that it would be impractical for
19 a number or all of the local joint committees in the state to develop criteria
20 concerning a particular matter, the council and the division may adopt rules
21 on the matter. The rules shall govern on that matter except to the extent
22 that a local joint committee's approved standards contain exceptions.

23 (4) The council and the division also shall:

24 (a) Establish policy of the program so as to encourage the promotion,
25 expansion and improvement of programs of apprenticeship and training;

26 (b) Approve and register program standards and modifications to program
27 standards that are submitted by appropriate local joint committees as pro-
28 vided in ORS 660.126, if the standards and modifications are in substantial
29 conformity with the statewide standards approved under ORS 660.155;

30 (c) Establish committees and approve nominations of members and alter-
31 nates to local joint committees and state joint committees to ensure balanced

1 representation of employer and employee groups;

2 (d) Deregister standards and terminate entire programs, and remove any
3 or all members of any committee, for inactivity or inadequate activity, or for
4 failure to abide by the provisions of ORS 660.002 to 660.210 or by the rules
5 and policies of the council and the division;

6 (e) Cooperate with interested state and federal agencies, including the
7 Department of Education, the State Workforce *[Investment]* **Development**
8 Board and other providers of related training and curriculum such as com-
9 munity college districts, community college service districts, education ser-
10 vice districts and recognized industry programs; and

11 (f) Perform such other functions and duties as are necessary or appropri-
12 ate to carry out the purposes of ORS 660.002 to 660.210.

13 (5) The council shall hold at least four regular public meetings each year.
14 Executive sessions shall be held on call of the chairperson, or at the written
15 request of a majority of the members of the council.

16 **SECTION 23.** ORS 660.300 is amended to read:

17 660.300. As used in ORS 660.300 to 660.364:

18 (1) “Chief elected official” means a county commissioner, a county judge
19 or the mayor of the City of Portland.

20 (2) “Federal Act” or “federal Workforce *[Investment]* **Innovation and**
21 **Opportunity Act**” means the federal Workforce *[Investment Act of 1998 (en-*
22 *acted as P.L. 105-220 and codified as 29 U.S.C. 2801 et seq.)]* **Innovation and**
23 **Opportunity Act (29 U.S.C. 3101 et seq.)**.

24 (3) “Local workforce *[investment]* **development area**” means the City of
25 Portland or a county when the city or county has been designated as a local
26 workforce *[investment]* **development area** under ORS 660.324. “Local
27 workforce *[investment]* **development area**” may include two or more counties
28 that have joined together to form a local workforce *[investment]* **develop-**
29 **ment area** and that have been designated as a local workforce *[investment]*
30 **development area** under ORS 660.324.

31 (4) “Local workforce *[investment]* **development board**” means a board

1 established pursuant to section [2832] **3122** of the federal Workforce [*Invest-*
2 *ment Act of 1998*] **Innovation and Opportunity Act.**

3 (5) “Office” means the Office of Community Colleges and Workforce De-
4 velopment.

5 (6) “Participant” means a person receiving services under [*Title I-B of the*
6 *federal Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)*] **the federal**
7 **Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.).**

8 (7) “Participant records” means records relating to matters such as
9 grades, conduct, personal and academic evaluations, results of psychometric
10 testing, counseling, disciplinary actions, if any, and other personal matters.

11 (8) “State workforce agencies” means state agencies that administer
12 workforce programs.

13 [(9) “Title I-B” means the adult, dislocated worker and youth programs
14 delivered under the federal Workforce Investment Act of 1998 (29 U.S.C. 2801
15 et seq.).]

16 [(10)] (9) “Workforce development” means services designed to help indi-
17 viduals attain employment and progress along career pathways and to help
18 businesses better achieve business goals by more easily finding skilled em-
19 ployees. “Workforce development” includes:

20 (a) Education, training and apprenticeship services;

21 (b) Labor market analysis;

22 (c) Employment and reemployment services;

23 (d) Employee recruitment and retention services; and

24 (e) Convening, coordinating, oversight and evaluation services for busi-
25 ness and state workforce agencies.

26 [(11)] (10) “Workforce programs” means programs that have a primary
27 mission of helping individuals become employed, retain employment, increase
28 wages and progress along career pathways and that are responsible for out-
29 comes related to the primary mission.

30 **SECTION 24.** ORS 660.302 is amended to read:

31 660.302. The Legislative Assembly finds that a robust and effective

1 workforce system is necessary to produce a highly skilled workforce, to ad-
2 vance more Oregonians into family wage jobs and to help Oregon businesses
3 compete in a global economy. Therefore, the Legislative Assembly declares
4 that it is the policy of this state to promote the coordinated provision of
5 education, employment, economic development and job training to:

6 (1) Develop a workforce system that is flexible, accountable, outcome-
7 focused and data-driven;

8 (2) Meet the needs of employers for skilled, committed and innovative
9 employees;

10 (3) Deliver an effective, efficient, highly integrated and responsive
11 workforce system;

12 (4) Offer services;

13 (5) Ensure equity in program access, services and outcomes for popu-
14 lations that have historically experienced high levels of unemployment,
15 underemployment and poverty;

16 (6) Provide greater economic security and grow a more inclusive and dy-
17 namic economy;

18 (7) Support the economic health of local communities throughout this
19 state with workforce solutions that meet community needs and advance the
20 prosperity of Oregonians and Oregon-based businesses;

21 (8) Build on the WorkSource Oregon network of state workforce agencies,
22 local workforce [*investment*] **development** boards, public and private sec-
23 ondary and post-secondary institutions of education and other public and
24 private partners to deliver a comprehensive, robust and outcome-oriented
25 array of services to unemployed and underemployed individuals and to busi-
26 nesses seeking employees; and

27 (9) Support the achievement of Oregon's 40-40-20 goal in conjunction with
28 the education system and private industry to ensure that more Oregonians
29 may access opportunities to gain skills and earn credentials to support their
30 employment goals.

31 **SECTION 25.** ORS 660.312 is amended to read:

1 660.312. (1) The Governor shall be responsible for a coordinated and
2 comprehensive response to education and workforce issues. The Governor
3 shall appoint an Education and Workforce Policy Advisor, who serves at the
4 pleasure of the Governor. The advisor shall, with the advice of such advisory
5 committees as may be appointed or assigned, advise the Governor on policy,
6 planning and coordination for education and workforce development in
7 Oregon.

8 (2) The duties of the advisor shall include:

9 (a) Guiding the development of state-level policy related to education and
10 workforce issues;

11 (b) Providing general direction and serving as a liaison between state and
12 local efforts in education, training and workforce development;

13 (c) Ensuring, through collaboration with the leadership of local workforce
14 [*investment*] **development** boards, the alignment of statewide and local
15 strategic plans, and the periodic reporting of performance in the implemen-
16 tation of such plans; and

17 (d) Consulting with local workforce [*investment*] **development** boards on
18 the development and implementation of a workforce performance measure-
19 ment system.

20 (3) In the performance of duties, the advisor shall collectively involve
21 state agencies, including but not limited to:

22 (a) The Department of Education;

23 (b) The Higher Education Coordinating Commission;

24 (c) The Oregon Business Development Department;

25 [*(d) The Office of Community Colleges and Workforce Development;*]

26 [*(e)*] **(d)** The Employment Department;

27 [*(f)*] **(e)** The Department of Human Services;

28 [*(g)*] **(f)** The Bureau of Labor and Industries;

29 [*(h)*] **(g)** The Department of Corrections; and

30 [*(i)*] **(h)** The public universities with governing boards listed in ORS
31 352.054.

1 (4) The advisor shall seek input from key interested parties to help guide
2 policy development, including but not limited to representatives of:

3 (a) Businesses and industry organizations;

4 (b) Labor and labor organizations;

5 (c) Local education providers, community colleges and other public and
6 private post-secondary institutions of education and their governing boards;

7 (d) Local government;

8 (e) Student, teacher, parent and faculty organizations;

9 (f) Community-based organizations;

10 (g) Public-private partnership organizations;

11 (h) Independent nonprofit and proprietary post-secondary colleges and
12 schools; and

13 (i) The State Workforce [*Investment*] **Development** Board and local
14 workforce [*investment*] **development** boards.

15 (5) The advisor shall meet, on a regularly scheduled basis, with the local
16 workforce [*investment*] **development** boards and such others as necessary to
17 ensure that local interests are represented. The advisor shall seek input,
18 advice and feedback on policy issues affecting state and local education and
19 workforce development from interested parties and any advisory committees
20 appointed or assigned under this section.

21 (6) Pursuant to ORS chapter 183, the advisor may adopt rules necessary
22 to carry out the duties of the advisor.

23 **SECTION 26.** ORS 660.318 is amended to read:

24 660.318. (1) To implement and oversee state implementation of [*Title I-B*]
25 **the federal Workforce Innovation and Opportunity Act**, the [*Office of*
26 *Community Colleges and Workforce Development*] **Higher Education Coor-**
27 **minating Commission** may:

28 (a) Receive federal youth activities funds allotted to this state by the
29 Secretary of Labor pursuant to [*Title I-B*] **the federal Workforce Inno-**
30 **vation and Opportunity Act** and allocate those funds that are not reserved
31 according to an allocation formula recommended by the State Workforce

1 [*Investment*] **Development** Board and approved by the Governor.

2 (b) Receive federal adult employment and training activities funds allot-
3 ted to this state by the Secretary of Labor pursuant to [*Title I-B*] **the federal**
4 **Workforce Innovation and Opportunity Act** and allocate those funds that
5 are not reserved according to an allocation formula recommended by the
6 State Workforce [*Investment*] **Development** Board and approved by the
7 Governor.

8 (c) Receive federal dislocated worker funds allotted to this state by the
9 Secretary of Labor pursuant to [*Title I-B*] **the federal Workforce Inno-**
10 **vation and Opportunity Act** and allocate those funds that are not reserved
11 according to an allocation formula recommended by the State Workforce
12 [*Investment*] **Development** Board and approved by the Governor.

13 (d) Establish a procedure for use by local workforce [*investment*] **devel-**
14 **opment** boards to identify eligible providers of training services according
15 to section [*2864*] **3174** of the federal Act and to maintain the list of providers
16 identified as eligible by the boards in all local workforce [*investment*] **de-**
17 **velopment** areas in this state.

18 (e) Receive the comprehensive strategic plan developed and implemented
19 by each local workforce [*investment*] **development** board and review the
20 plan, with input from representatives of state and local workforce programs,
21 to determine if the plan meets the requirements of section [*2833*] **3123** of the
22 federal Act and state policy.

23 (f) Approve the plans, after review by the State Workforce [*Investment*]
24 **Development** Board, that are found to meet the requirements of [*Title I-B*]
25 **the federal Workforce Innovation and Opportunity Act** and review and
26 approve any amendments to the plans.

27 (g) Carry out the required and allowable activities described in section
28 [*2864*] **3174** of the federal Act with the advice of the Education and
29 Workforce Policy Advisor.

30 (h) Pursuant to ORS 660.339, establish procedures to maintain the
31 confidentiality of the names and records of participants in workforce pro-

1 grams for which the [*office*] **commission** is responsible, including circum-
2 stances under which the names and records may be disclosed.

3 (i) Establish a method to set performance standards for the Secretary of
4 Labor as required under section [2871] **3141** of the federal Act.

5 (j) Perform planning functions related to [*Title I-B*] programs and per-
6 formance reporting **under the federal Workforce Innovation and Oppor-**
7 **tunity Act.**

8 (2)(a) Subject to the availability of funds from the federal Workforce
9 [*Investment*] **Innovation and Opportunity Act**, the [*Office of Community*
10 *Colleges and Workforce Development*] **commission** shall create and operate
11 a summer youth employment program that reestablishes meaningful summer
12 work experience for persons between the ages of 14 and 24 and that meets
13 the requirements for funding under the federal Act.

14 (b) Programs funded under this subsection:

15 (A) Must include representatives of the business community in the plan-
16 ning, implementation and evaluation of the program.

17 (B) May provide for private and public sector employment opportunities.

18 (C) Shall be managed by local workforce [*investment*] **development**
19 boards in a manner that coordinates regional state-sponsored youth work
20 experience programs.

21 (c) Local workforce [*investment*] **development** boards responsible for
22 managing programs created under this subsection shall provide training for
23 business, labor and education leaders in use of best practices that ensure
24 positive summer work experiences for participants.

25 (3) The [*Office of Community Colleges and Workforce Development*] **com-**
26 **mission** shall collaborate with the State Workforce [*Investment*] **Develop-**
27 **ment Board** and local workforce [*investment*] **development** boards to collect
28 data on summer work experience programs that identify successful summer
29 work experiences and allow for the identification and dissemination of
30 promising practices.

31 (4) The [*Higher Education Coordinating*] commission, in consultation with

1 the State Workforce [*Investment*] **Development** Board, may adopt rules
2 pursuant to ORS chapter 183 to implement this section.

3 **SECTION 27.** ORS 660.321 is amended to read:

4 660.321. (1) A State Workforce [*Investment*] **Development** Board shall be
5 created under section [2821(b) and (c)] **3111** of the [*Workforce Investment Act*
6 *of 1998*] **federal Workforce Innovation and Opportunity Act** to assist in
7 the development of the State Unified **or Combined** Workforce Plan estab-
8 lished under ORS 660.324 and to carry out the other functions described by
9 the federal Act.

10 (2) The membership of the board must be in accordance with the re-
11 quirements of section [2821(b)] **3111(b)** of the federal Act.

12 (3) Representatives of business described in section [2821 (b)(1)(C)(i)]
13 **3111(b)(1)(C)(i)** of the federal Act who are appointed to the board must be
14 confirmed by the Senate in the manner prescribed under ORS 171.562 and
15 171.565.

16 (4) The Governor shall select a chairperson in accordance with the re-
17 quirements of section [2821(c)] **3111(c)** of the federal Act.

18 (5) The Governor shall appoint one member who is a representative of a
19 local workforce [*investment*] **development** board.

20 (6) A majority of the board must be representatives of business, as de-
21 scribed in section [2821(b)(1)(C)(i)] **3111(b)(1)(C)(i)** of the federal Act.

22 (7) Members of the Legislative Assembly appointed to the board are non-
23 voting members of the board and may act in an advisory capacity only.

24 (8) To transact business at a meeting of the board, a quorum of voting
25 members must participate. A quorum consists of a majority of the voting
26 members. At least 25 percent of the members participating must be repre-
27 sentatives of business, as described in section [2821(b)(1)(C)(i)]
28 **3111(b)(1)(C)(i)** of the federal Act.

29 (9) Members of the board are not entitled to compensation, but may be
30 reimbursed for actual and necessary travel and other expenses incurred by
31 them in the performance of their official duties in the manner and amount

1 provided for in ORS 292.495.

2 **SECTION 28.** ORS 660.324 is amended to read:

3 660.324. (1) The State Workforce [*Investment*] **Development** Board shall
4 develop and submit to the Governor a single[, *unified*] state plan that out-
5 lines a strategy, with quantitative goals, for the statewide workforce [*in-*
6 *vestment*] **development** system for the State of Oregon in accordance with
7 section [*2821 of the federal Workforce Investment Act of 1998*] **3111 of the**
8 **federal Workforce Innovation and Opportunity Act**. In addition, the
9 state plan must convey the expectations for performance and the priorities
10 for delivery of services to local workforce [*investment*] **development** boards
11 and state workforce agencies. Upon the Governor's approval of the state
12 plan, the Governor shall cause the State Unified **or Combined** Workforce
13 Plan to be delivered to the Legislative Assembly.

14 (2) The board shall develop and include in the state plan goals designed
15 to promote Oregonians' self-sufficiency. In addition to requirements under
16 the federal Act regarding wage and other goals, the state plan shall include
17 quantifiable goals that will empower Oregonians to gain independence from
18 public assistance and move up the socioeconomic ladder.

19 (3) The board shall assist the Governor in:

20 (a) Developing Oregon's workforce [*investment*] **development** system;

21 (b) Ensuring timely consultation and collaboration with chief elected of-
22 ficials, local workforce [*investment*] **development** boards and other
23 workforce stakeholders, including but not limited to business and labor or-
24 ganizations and organizations working with persons with disabilities, persons
25 living at or below 100 percent of the federal poverty guidelines and the
26 chronically unemployed and underemployed;

27 (c) Reviewing and approving local workforce plans;

28 (d) Developing, as required by the federal Act, allocation formulas for the
29 distribution of funds to local workforce [*investment*] **development** areas for
30 adult employment and training activities and for youth activities that are
31 developed by the local workforce [*investment*] **development** boards;

1 (e) Working with local workforce [*investment*] **development** boards to
2 increase efficiencies and align workforce programs and services with local
3 needs;

4 (f) Recommending the duties and responsibilities of state agencies to im-
5 plement the federal Act, to avoid conflicts of interest and to capitalize on
6 the experience developed by workforce partners that are efficient and effec-
7 tive at meeting the requirements of the federal Act;

8 (g) Participating in the development of a coordinated statewide system
9 of activities and services that includes both mandatory and optional partners
10 of the one-stop delivery system, as provided in the federal Act;

11 (h) Providing for the development, accountability and continuous im-
12 provement of comprehensive workforce performance measures to assess the
13 effectiveness of the workforce [*investment*] **development** activities in this
14 state;

15 (i) Developing a statewide employment statistics system, as described in
16 section 15(e) of the Wagner-Peyser Act (29 U.S.C. 49L-2(e)); and

17 (j) Preparing an annual report and submitting it to [*the United States*
18 *Department of Education, the United States Department of Health and Human*
19 *Services and*] the United States Department of Labor.

20 (4) The State Workforce [*Investment*] **Development** Board, in partnership
21 with the Governor, shall establish criteria for use by chief elected officials
22 in appointing members to local workforce [*investment*] **development** boards
23 in accordance with the requirements of section [2832 of the federal *Workforce*
24 *Investment Act of 1998*] **3122 of the federal Workforce Innovation and**
25 **Opportunity Act**. The State Workforce [*Investment*] **Development** Board
26 shall establish the following requirements:

27 (a) To transact business at a meeting of a local workforce [*investment*]
28 **development** board, a quorum of members must participate. A quorum shall
29 consist of a majority of the members. At least 25 percent of the members
30 participating must be representatives of business[, *as described in section*
31 *2821(b)(1)(C)(i) of the federal Act*].

1 (b) When appropriate and upon a request from the chief elected official
2 of a county or the City of Portland, the State Workforce [*Investment*] **De-**
3 **velopment** Board shall consider the county or the City of Portland to be a
4 candidate for designation as a local workforce [*investment*] **development**
5 area. The board shall consult with the county or the City of Portland before
6 designating it as a local workforce [*investment*] **development** area. After
7 considering the criteria in section [2831] **3121** of the federal Act for desig-
8 nating local workforce [*investment*] **development** areas, chief elected offi-
9 cials may submit a request to the board to combine their units of government
10 into a local workforce [*investment*] **development** area. The board shall make
11 recommendations to the Governor about the designation of local workforce
12 [*investment*] **development** areas. Only the Governor may designate local
13 workforce [*investment*] **development** areas. The Governor must show just
14 cause for not designating a requested local workforce [*investment*] **develop-**
15 **ment** area. A county or the City of Portland may submit an appeal to the
16 board, as provided in section [2831] **3121** of the federal Act, if the Governor
17 does not grant the county's or the city's request to designate a local
18 workforce [*investment*] **development** area.

19 (5) The State Workforce [*Investment*] **Development** Board shall provide
20 guidance and direction to local workforce [*investment*] **development** boards
21 in the development of local workforce plans. The State Workforce [*Invest-*
22 *ment*] **Development** Board shall adopt policies that:

23 (a) Require each local workforce [*investment*] **development** board, in
24 partnership with its chief elected officials and in accordance with section
25 [2833] **3123** of the federal Act, to develop and submit to the Governor and the
26 State Workforce [*Investment*] **Development** Board a strategic local
27 workforce plan that includes, but is not limited to, performance goals; and

28 (b) Permit each local workforce [*investment*] **development** board, in con-
29 sultation with its chief elected officials:

30 (A) To determine, consistent with the requirements of the federal Act, the
31 appropriate level of services based on the workforce needs in the local

1 workforce [*investment*] **development** area; and

2 (B) To **designate or** certify [*local*] one-stop operators **and to terminate**
3 **for cause the eligibility of such operators.**

4 (6) The State Workforce [*Investment*] **Development** Board shall:

5 (a) Function as the primary advisory committee to the Employment De-
6 partment in conjunction with the Employment Department Advisory Council
7 established under ORS 657.695;

8 (b) Collaborate with other advisory bodies also tasked with workforce
9 development, including but not limited to the Oregon State Rehabilitation
10 Council, the Commission for the Blind, the State Apprenticeship and Train-
11 ing Council and the Higher Education Coordinating Commission;

12 (c) Work with the Chief Education Office and the Oregon Business De-
13 velopment Commission to identify areas of common interest to efficiently
14 align resources, recommend common strategies and provide accountability
15 for reaching statewide goals; and

16 (d) Hold state workforce agencies and local workforce [*investment*] **de-**
17 **velopment** boards accountable for meeting performance goals and system
18 outcomes.

19 (7) The State Workforce [*Investment*] **Development** Board may charter
20 and enter into performance compacts with the local workforce [*investment*]
21 **development** boards.

22 **SECTION 29.** ORS 660.324, as amended by section 65, chapter 774, Oregon
23 Laws 2015, is amended to read:

24 660.324. (1) The State Workforce [*Investment*] **Development** Board shall
25 develop and submit to the Governor a single[, *unified*] state plan that out-
26 lines a strategy, with quantitative goals, for the statewide workforce [*in-*
27 *vestment*] **development** system for the State of Oregon in accordance with
28 section [2821 of the federal Workforce Investment Act of 1998] **3111 of the**
29 **federal Workforce Innovation and Opportunity Act.** In addition, the
30 state plan must convey the expectations for performance and the priorities
31 for delivery of services to local workforce [*investment*] **development** boards

1 and state workforce agencies. Upon the Governor's approval of the state
2 plan, the Governor shall cause the State Unified **or Combined** Workforce
3 Plan to be delivered to the Legislative Assembly.

4 (2) The board shall develop and include in the state plan goals designed
5 to promote Oregonians' self-sufficiency. In addition to requirements under
6 the federal Act regarding wage and other goals, the state plan shall include
7 quantifiable goals that will empower Oregonians to gain independence from
8 public assistance and move up the socioeconomic ladder.

9 (3) The board shall assist the Governor in:

10 (a) Developing Oregon's workforce [*investment*] **development** system;

11 (b) Ensuring timely consultation and collaboration with chief elected of-
12 ficials, local workforce [*investment*] **development** boards and other
13 workforce stakeholders, including but not limited to business and labor or-
14 ganizations and organizations working with persons with disabilities, persons
15 living at or below 100 percent of the federal poverty guidelines and the
16 chronically unemployed and underemployed;

17 (c) Reviewing and approving local workforce plans;

18 (d) Developing, as required by the federal Act, allocation formulas for the
19 distribution of funds to local workforce [*investment*] **development** areas for
20 adult employment and training activities and for youth activities that are
21 developed by the local workforce [*investment*] **development** boards;

22 (e) Working with local workforce [*investment*] **development** boards to
23 increase efficiencies and align workforce programs and services with local
24 needs;

25 (f) Recommending the duties and responsibilities of state agencies to im-
26 plement the federal Act, to avoid conflicts of interest and to capitalize on
27 the experience developed by workforce partners that are efficient and effec-
28 tive at meeting the requirements of the federal Act;

29 (g) Participating in the development of a coordinated statewide system
30 of activities and services that includes both mandatory and optional partners
31 of the one-stop delivery system, as provided in the federal Act;

1 (h) Providing for the development, accountability and continuous im-
2 provement of comprehensive workforce performance measures to assess the
3 effectiveness of the workforce [*investment*] **development** activities in this
4 state;

5 (i) Developing a statewide employment statistics system, as described in
6 section 15(e) of the Wagner-Peyser Act (29 U.S.C. 49L-2(e)); and

7 (j) Preparing an annual report and submitting it to [*the United States*
8 *Department of Education, the United States Department of Health and Human*
9 *Services and*] the United States Department of Labor.

10 (4) The State Workforce [*Investment*] **Development** Board, in partnership
11 with the Governor, shall establish criteria for use by chief elected officials
12 in appointing members to local workforce [*investment*] **development** boards
13 in accordance with the requirements of section [2832 of the federal *Workforce*
14 *Investment Act of 1998*] **3122 of the federal Workforce Innovation and**
15 **Opportunity Act**. The State Workforce [*Investment*] **Development** Board
16 shall establish the following requirements:

17 (a) To transact business at a meeting of a local workforce [*investment*]
18 **development** board, a quorum of members must participate. A quorum shall
19 consist of a majority of the members. At least 25 percent of the members
20 participating must be representatives of business[, *as described in section*
21 *2821(b)(1)(C)(i) of the federal Act*].

22 (b) When appropriate and upon a request from the chief elected official
23 of a county or the City of Portland, the State Workforce [*Investment*] **De-**
24 **velopment** Board shall consider the county or the City of Portland to be a
25 candidate for designation as a local workforce [*investment*] **development**
26 area. The board shall consult with the county or the City of Portland before
27 designating it as a local workforce [*investment*] **development** area. After
28 considering the criteria in section [2831] **3121** of the federal Act for desig-
29 nating local workforce [*investment*] **development** areas, chief elected offi-
30 cials may submit a request to the board to combine their units of government
31 into a local workforce [*investment*] **development** area. The board shall make

1 recommendations to the Governor about the designation of local workforce
 2 [*investment*] **development** areas. Only the Governor may designate local
 3 workforce [*investment*] **development** areas. The Governor must show just
 4 cause for not designating a requested local workforce [*investment*] **develop-**
 5 **ment** area. A county or the City of Portland may submit an appeal to the
 6 board, as provided in section [2831] **3121** of the federal Act, if the Governor
 7 does not grant the county's or the city's request to designate a local
 8 workforce [*investment*] **development** area.

9 (5) The State Workforce [*Investment*] **Development** Board shall provide
 10 guidance and direction to local workforce [*investment*] **development** boards
 11 in the development of local workforce plans. The State Workforce [*Invest-*
 12 *ment*] **Development** Board shall adopt policies that:

13 (a) Require each local workforce [*investment*] **development** board, in
 14 partnership with its chief elected officials and in accordance with section
 15 [2833] **3123** of the federal Act, to develop and submit to the Governor and the
 16 State Workforce [*Investment*] **Development** Board a strategic local
 17 workforce plan that includes, but is not limited to, performance goals; and

18 (b) Permit each local workforce [*investment*] **development** board, in con-
 19 sultation with its chief elected officials:

20 (A) To determine, consistent with the requirements of the federal Act, the
 21 appropriate level of services based on the workforce needs in the local
 22 workforce [*investment*] **development** area; and

23 (B) To **designate or** certify [*local*] one-stop operators **and to terminate**
 24 **for cause the eligibility of such operators.**

25 (6) The State Workforce [*Investment*] **Development** Board shall:

26 (a) Function as the primary advisory committee to the Employment De-
 27 partment in conjunction with the Employment Department Advisory Council
 28 established under ORS 657.695;

29 (b) Collaborate with other advisory bodies also tasked with workforce
 30 development, including but not limited to the Oregon State Rehabilitation
 31 Council, the Commission for the Blind, the State Apprenticeship and Train-

1 ing Council and the Higher Education Coordinating Commission;

2 (c) Work with the Oregon Business Development Commission to identify
3 areas of common interest to efficiently align resources, recommend common
4 strategies and provide accountability for reaching statewide goals; and

5 (d) Hold state workforce agencies and local workforce [*investment*] **de-**
6 **velopment** boards accountable for meeting performance goals and system
7 outcomes.

8 (7) The State Workforce [*Investment*] **Development** Board may charter
9 and enter into performance compacts with the local workforce [*investment*]
10 **development** boards.

11 **SECTION 30.** ORS 660.327 is amended to read:

12 660.327. In accordance with section [2832] **3122** of the federal Act, each
13 local workforce [*investment*] **development** board shall:

14 (1) Consistent with section [2833] **3123** of the federal Act, in partnership
15 with the chief elected official for the local area involved, develop and submit
16 a local plan to the Governor. The local plan must:

17 (a) Be developed by the local workforce [*investment*] **development** board
18 with local workforce partners;

19 (b) Identify strategies and outcomes that the local workforce
20 [*investment*] **development** board will implement in the local workforce [*in-*
21 *vestment*] **development** area;

22 (c) Make all parties to the local plan accountable for carrying out the
23 strategies and achieving the outcomes identified in the local plan; and

24 (d) Be submitted to and approved by the State Workforce [*Investment*]
25 **Development** Board.

26 (2) Consistent with section [2841(d)] **3151(d)** of the federal Act, with the
27 agreement of the chief elected official, designate or certify one-stop operators
28 as described in section [2841(d)(2)(A)] **3151(d)(2)(A)** of the federal Act and
29 may terminate for cause the eligibility of such operators.

30 (3) Consistent with section [2843] **3153** of the federal Act, identify eligible
31 providers of youth activities in the local area and award grants or contracts

1 on a competitive basis to those providers, based on recommendations of a
2 youth council.

3 (4) Consistent with section [2842] **3152** of the federal Act, identify eligible
4 providers of training services described in section [2864(d)(4)] **3174(d)(4)** of
5 the federal Act.

6 (5) Subject to the approval of the chief elected official, develop a budget
7 for the purpose of carrying out the duties of the local workforce
8 [*investment*] **development** board under section [2832] **3122** of the federal Act.

9 (6) In partnership with the chief elected official, provide oversight of local
10 programs of youth activities authorized under section [2854] **3164** of the fed-
11 eral Act, local employment and training activities authorized under section
12 [2864] **3174** of the federal Act and the one-stop delivery system in the local
13 area.

14 (7) With the chief elected official and the Governor, negotiate and reach
15 agreement on local performance measures as described in section [2871(c)]
16 **3141(c)** of the federal Act.

17 (8) Coordinate the workforce [*investment*] **development** activities au-
18 thorized under the federal Act and carried out in the local area with eco-
19 nomic development strategies and develop other employer linkages with such
20 activities.

21 (9) Promote the participation of private sector employers in the statewide
22 workforce [*investment*] **development** system and ensure the effective pro-
23 vision, through the system, of connecting, brokering and coaching activities,
24 through intermediaries such as the one-stop operator in the local area or
25 through other organizations, to assist such employers in meeting hiring
26 needs.

27 **SECTION 31.** ORS 660.330 is amended to read:

28 660.330. (1) The State Workforce [*Investment*] **Development** Board and
29 local workforce [*investment*] **development** boards shall ensure that Oregon's
30 one-stop delivery system under the federal Workforce [*Investment Act of*
31 *1998*] **Innovation and Opportunity Act** is the foundation of local service

1 delivery to employers and participants.

2 (2) One-stop partners shall include, but are not limited to, those described
3 in section [2841] **3151** of the federal Act and programs referenced under sec-
4 tion [2841(b)(1) and (2)] **3151(b)** of the federal Act.

5 (3) This section does not restrict the authority of local workforce [*in-*
6 *vestment*] **development** boards to select providers and one-stop operators, or
7 to set goals or policies, under the federal Act.

8 **SECTION 32.** ORS 660.333 is amended to read:

9 660.333. (1) The State Workforce [*Investment*] **Development** Board shall
10 advise the Governor as required under section [2821] **3111** of the **federal**
11 Workforce [*Investment Act of 1998*] **Innovation and Opportunity Act** and
12 on matters pertaining to the use of funds under section [2864] **3174** of the
13 federal Act.

14 (2) As a part of the core services required by section [2864(d)(2)(E)(i)]
15 **3174(c)(2)(A)(vi)(I)** of the federal Act, the one-stop delivery system, as de-
16 scribed in section [2864(c)] **3151(e)** of the federal Act, shall provide timely
17 listings of all job opportunities, consistent with statute or rule, to a partic-
18 ipant immediately upon application by the participant for services offered
19 by the one-stop delivery system.

20 (3) Intensive services offered by the one-stop delivery system may include
21 drug and alcohol rehabilitative services meeting minimum standards estab-
22 lished pursuant to ORS 430.357.

23 (4) Local workforce [*investment*] **development** boards shall determine
24 whether funds will be used as provided in section [2864(e)(3)] **3174(d)(3)** of
25 the federal Act.

26 (5) Participants may receive training in accordance with section [2864]
27 **3174** of the federal Act. In addition, a participant who is employed in a sub-
28 subsidized or unsubsidized job and who needs training may receive an individual
29 training account that allows the participant to choose among training pro-
30 viders, except as provided in section [2864(d)(4)(G)(ii)] **3174(c)(3)(G)(ii)** of the
31 federal Act.

1 (6) Any funds expended under ORS 660.300 to 660.364 shall be from funds
2 appropriated by the Legislative Assembly or within any expenditure limita-
3 tions placed on federal funds by the Legislative Assembly.

4 **SECTION 33.** ORS 660.336 is amended to read:

5 660.336. (1) The designated state agency and state level fiscal agent for
6 the federal Workforce [*Investment Act of 1998 (P.L. 105-220)*] **Innovation and**
7 **Opportunity Act** shall provide customers of the one-stop delivery system
8 with reports containing information about the performance of training pro-
9 viders and programs in each local area.

10 (2) In order for customers to have choices in deciding the training pro-
11 gram that best fits their needs and the organization that best provides that
12 service, and in order for customers to have information about how well
13 training providers succeed in preparing people for jobs, the reports shall in-
14 clude information about:

15 (a) Training programs and the organizations that provide the programs;
16 and

17 (b) The success rate of the programs in preparing people for jobs.

18 (3) The reports shall present the information in a manner that allows a
19 customer to easily understand the options that are available in choosing a
20 program of training services.

21 **SECTION 34.** ORS 660.339 is amended to read:

22 660.339. (1) All participant records maintained by the local workforce
23 [*investment*] **development** boards or any public or private agency involved
24 in [*Title I-B*] programs **under the federal Workforce Innovation and**
25 **Opportunity Act** shall be confidential and except as provided in ORS
26 660.300 to 660.364 shall be open for inspection only in accordance with
27 [*rules*] **policies** adopted by the [*Office of Community Colleges and Workforce*
28 *Development*] **Higher Education Coordinating Commission.**

29 (2) A participant may provide written consent for the examination or re-
30 lease of any record pertaining to the participant.

31 (3) All information contained in participant files shall be available for

1 inspection by the participant and by the participant's parent or legal guard-
 2 ian if the participant is under 18 years of age. Participant behavioral records
 3 shall be released only in the presence of an individual qualified to explain
 4 or interpret the records.

5 (4) The [*office*] **commission** may adopt **policies and** rules to provide the
 6 circumstances under which participant names or records may be made
 7 available for inspection when:

8 (a) Ordered by a court of competent jurisdiction.

9 (b) Necessary to protect the health or safety of a participant or another.

10 (c) Necessary to provide information to state and local agencies adminis-
 11 tering ORS 412.001 to 412.161 and 412.991 and ORS chapters 418 and 657,
 12 other programs under the federal Workforce [*Investment Act of 1998*] **Inno-**
 13 **vation and Opportunity Act** and other mandatory programs under this
 14 state's one-stop service delivery system.

15 (d) Necessary for program staff work or studies of a statistical or demo-
 16 graphic nature.

17 (e) Necessary to carry out the planning and coordinating functions be-
 18 tween state and local agencies under [*Title I-B of*] the federal Workforce
 19 [*Investment*] **Innovation and Opportunity Act**, other applicable state laws
 20 or those functions assigned by the Education and Workforce Policy Advisor.

21 **SECTION 35.** ORS 660.340 is amended to read:

22 660.340. (1) There is created in the [*Office of Community Colleges and*
 23 *Workforce Development*] **Higher Education Coordinating Commission** the
 24 Oregon Employer Workforce Training Program. Subject to the availability
 25 of funding, **and in consultation with the State Workforce Development**
 26 **Board**, the [*office*] **commission** shall [*create and*] operate, and local
 27 workforce [*investment*] **development** boards shall manage, the program for
 28 the purpose of:

29 (a) Assisting businesses and consortia of businesses in implementing
 30 projects that identify and provide cost-effective solutions to the issues of
 31 employee training, retention and advancement;

1 (b) Maximizing the utilization of public and private resources for provid-
2 ing training to employed persons in skills that are responsive to the need
3 of businesses and industries in Oregon to become and to remain competitive
4 on the national and international level; and

5 (c) Responding to the need of workers in Oregon to develop current job
6 skills necessary to meet the current and future needs of employers.

7 (2)(a) Businesses in industries identified in the plans developed by local
8 workforce [*investment*] **development** boards as required by ORS 660.327 are
9 eligible to participate in projects selected for participation in the program.

10 (b) Priority for approval of projects submitted under this subsection shall
11 be given to businesses in industries that have the greatest impact on the
12 local economy and emerging green jobs.

13 (3) Local workforce [*investment*] **development** boards shall:

14 (a) Identify businesses and consortia of businesses for potential partic-
15 ipation in the program;

16 (b) Develop and implement an application process for projects proposed
17 for the program;

18 (c) Notwithstanding the provisions of the Public Contracting Code, use
19 an open and competitive procurement process for agreements entered into
20 with participants in the program;

21 (d) Require that businesses participating in a project provide private
22 sector funding equal to the amount of state funding provided for the project;
23 and

24 (e) Track and report to the [*office*] **commission** the outcomes of projects
25 implemented in the local workforce [*investment*] **development** area, includ-
26 ing, but not limited to:

27 (A) The number of businesses participating in approved projects;

28 (B) The number and types of projects completed;

29 (C) The number of employees receiving training;

30 (D) The number of jobs retained or created by the businesses participating
31 in the project; and

1 (E) The value of the private sector funding provided.

2 (4) The [*Higher Education Coordinating*] commission shall adopt rules
3 necessary for the implementation and operation of the program created under
4 subsection (1) of this section. The rules shall include, but are not limited to,
5 a process by which moneys may be appropriated and allocated to the local
6 workforce [*investment*] **development** boards to support projects identified by
7 the local workforce [*investment*] **development** boards under subsection (3)
8 of this section.

9 **SECTION 36.** ORS 660.343 is amended to read:

10 660.343. (1) There is created in the [*Office of Community Colleges and*
11 *Workforce Development*] **Higher Education Coordinating Commission** the
12 Oregon National Career Readiness Certification Program to certify the
13 workplace and college readiness skills of Oregonians and to better prepare
14 Oregonians for continued education and workforce training, successful em-
15 ployment and career advancement in a demand-driven, skills-based economy.

16 (2) Program services may be offered through public high schools, com-
17 munity colleges, local and regional career centers and any other institutions
18 determined to be appropriate by the [*office*] **commission** to residents of
19 Oregon and to employees of businesses located in Oregon.

20 (3) Services provided by the program shall include, but are not limited to:

21 (a) An assessment process that identifies the proficiency level of program
22 participants in work-ready skills including, but not limited to, reading, ap-
23 plied mathematics, locating information and any additional skills determined
24 by the [*office*] **commission** to be necessary to meet business and industry
25 skill demands;

26 (b) Targeted instruction and remedial skills training to provide work-
27 ready skills in which program participants are not proficient, as determined
28 by the assessment process described in paragraph (a) of this subsection, and
29 that have been identified by the [*office*] **commission** as work-ready skills
30 required by local employers;

31 (c) Issuance of a National Career Readiness Certificate to program par-

1 participants who demonstrate proficiency in work-ready skills, as determined by
2 the assessment process described in paragraph (a) of this subsection, and who
3 satisfy any other requirements for certification adopted by the [office] **com-**
4 **mission** by rule;

5 (d) Providing information to school districts, community colleges and
6 community college service districts about the National Career Readiness
7 Certificate and the assessments, targeted instruction and remedial skills
8 training available through the program; and

9 (e) An online database that:

10 (A) Serves as the repository for National Career Readiness Certificate
11 attainment data.

12 (B) Provides online access to program data that enables employers to de-
13 termine the work skill proficiency level of individual program participants
14 and to locate certified individuals on a statewide or regional basis.

15 (C) Provides individual program participants the opportunity for career
16 exploration, continuing education, job readiness practice and job searches.

17 (D) Provides individual program participants the opportunity to opt out
18 of the database in accordance with rules adopted by the [office]
19 **commission**.

20 (4) The [*Office of Community Colleges and Workforce Development*] **com-**
21 **mission**, after consultation with [*the Higher Education Coordinating Com-*
22 *mission,*] the State Workforce [*Investment*] **Development** Board and the
23 Department of Education, shall adopt rules for the implementation and ad-
24 ministration of the program created under subsection (1) of this section.

25 (5) By September 1 of each year, school districts, community colleges and
26 community college service districts shall report to the [*Office of Community*
27 *Colleges and Workforce Development*] **commission** the rate of participation
28 in and the total number of students enrolled in the district or community
29 college who utilized the services provided by the program in the most re-
30 cently concluded school year.

31 (6) The [*Office of Community Colleges and Workforce Development*] **com-**

1 **mission** shall submit a report on program outcomes and recommendations
2 for improving and funding the program to the appropriate interim legislative
3 committees and to the Governor by December 1 of each year. The report shall
4 include a summary of the information required under subsection (5) of this
5 section.

6 **SECTION 37.** ORS 660.346 is amended to read:

7 660.346. (1)(a) The [*Office of Community Colleges and Workforce Develop-*
8 *ment*] **Higher Education Coordinating Commission**, in collaboration with
9 the Employment Department and the State Workforce [*Investment*] **Devel-**
10 **opment** Board, shall develop and implement a demand-driven, skills-based
11 integrated workforce delivery system focused on skills and talent develop-
12 ment.

13 (b) The integrated workforce delivery system implemented under para-
14 graph (a) of this subsection must include, and the [*office*] **commission** shall
15 maintain, a workforce training inventory of prioritized occupations.

16 (c) The [*office*] **commission** shall prioritize recommendations for the al-
17 location of workforce training resources by the integrated workforce delivery
18 system based on occupational prioritization data developed by the Employ-
19 ment Department.

20 (2) The [*office*] **commission** shall adopt rules necessary for the imple-
21 mentation and administration of the integrated workforce delivery system
22 developed under subsection (1) of this section.

23 **SECTION 38.** ORS 660.349 is amended to read:

24 660.349. (1)(a) There is created in the Office of Community Colleges and
25 Workforce Development a program to make grants to pilot projects to pro-
26 mote hands-on experience and education in the fundamentals and core com-
27 petencies in architecture, construction trades and engineering for high
28 school juniors and seniors.

29 (b) Pilot projects funded by the program created under this subsection
30 shall be based on collaborative efforts between local school districts, com-
31 munity colleges, business organizations and labor organizations that provide

1 participants the opportunity for education and training in skills required to
2 meet the workforce development needs of local, regional and statewide em-
3 ployers.

4 (c) The office may apply for and receive grants and gifts from public and
5 private sources to fund grants provided under this section.

6 (2) The program created under subsection (1) of this section for making
7 grants to pilot projects shall ensure that:

8 (a) Local communities are informed about the availability of the grants;

9 (b) The pilot projects are geographically distributed throughout Oregon;

10 (c) Urban and rural participants have equal opportunity to access quality
11 educational opportunities;

12 (d) Representatives of related, ongoing community efforts assist in the
13 implementation of architecture, construction trades and engineering educa-
14 tion and training; and

15 (e) The program and timelines are designed to minimize barriers to re-
16 ceiving funds.

17 (3) When considering applications for grants, the program shall give pri-
18 ority to pilot projects that:

19 (a) Provide access for high school juniors and seniors to architecture,
20 construction trades and engineering education and training through the ef-
21 forts of local and regional career centers and public-private consortia;

22 (b) In combination with other projects receiving funds, contribute to ar-
23 chitecture, construction trades and engineering education and training op-
24 portunities in every part of the state;

25 (c) Use private and federal funds;

26 (d) Facilitate sharing of resources through public-private partnerships
27 including collaboration among local school districts, community colleges,
28 business organizations and labor organizations;

29 (e) Have a long-term strategic plan and lack only the necessary financial
30 resources;

31 (f) Help students connect education and training with career planning and

1 job opportunities through local and regional career centers implemented un-
2 der the federal Workforce [*Investment*] **Innovation and Opportunity** Act;

3 (g) Provide articulated secondary and post-secondary education programs
4 that are designed to lead to a degree or industry-specific skills certification;
5 and

6 (h) Establish short-term training programs that meet the immediate needs
7 of local and regional employers.

8 (4)(a) The office shall include in the program created under subsection (1)
9 of this section a process for the certification of instructors for the program
10 to provide education and practical experience in architecture, construction
11 trades and engineering.

12 (b) The office shall adopt by rule requirements for the certification of
13 instructors described in paragraph (a) of this subsection.

14 (c) Notwithstanding the requirements adopted under paragraph (b) of this
15 subsection, a person qualified to serve as an instructor in a state-recognized
16 apprenticeship program is qualified for certification as an instructor for
17 projects implemented under this section.

18 **SECTION 39.** ORS 660.353 is amended to read:

19 660.353. (1) There is created in the [*Office of Community Colleges and*
20 *Workforce Development*] **Higher Education Coordinating Commission** the
21 Oregon Youth Employment Program. Subject to the availability of funding,
22 the [*office*] **commission** shall create and operate, and local workforce [*in-*
23 *vestment*] **development** boards shall manage, the program to provide mean-
24 ingful work experience and workforce training for persons between the ages
25 of 14 and 24.

26 (2) The program shall provide to participants in the program case man-
27 agement and support services that include, but are not limited to:

28 (a) Developing an individual development plan for the participant that
29 outlines work readiness, career and educational goals;

30 (b) Work readiness instruction;

31 (c) At least 12 weeks of paid internships or other work experience; and

1 (d) Academic support for earning high school graduation credit, com-
2 pletion of a General Educational Development (GED) certificate program or
3 earning college credit for work experience or internships provided through
4 the program.

5 (3) The program:

6 (a) Plan, implementation procedures and evaluation criteria shall be de-
7 scribed in the local plan developed by a local workforce [*investment*] **devel-**
8 **opment** board under ORS 660.327.

9 (b) May provide for public and private sector employment opportunities.

10 (4) Local workforce [*investment*] **development** boards responsible for
11 managing the program shall ensure appropriate training and positive work
12 experiences for participants.

13 (5) The [*office*] **commission** shall collaborate with the local workforce
14 [*investment*] **development** boards to collect data on youth work experience
15 programs that identify successful work experiences and allow for the iden-
16 tification and dissemination of the most promising practices. The data col-
17 lected shall also include the number of participants in the program, the
18 number of participants that complete the program, the cost of internships
19 and other work experiences provided, the academic credit earned by partic-
20 ipants and the number of General Educational Development (GED) certif-
21 icates earned by participants.

22 (6) The [*office*] **commission** shall adopt rules necessary for the imple-
23 mentation and operation of the program created under subsection (1) of this
24 section. The rules shall include, but are not limited to, establishing eligibil-
25 ity criteria for persons participating in the program.

26 **SECTION 40.** ORS 660.358 is amended to read:

27 660.358. (1) The State Workforce [*Investment*] **Development** Board, in
28 consultation with the Governor, the Education and Workforce Policy Advisor
29 and other parties deemed appropriate by the board and after consideration
30 of the clean energy and energy efficiency policies of this state, shall develop
31 a plan for a green jobs growth initiative to promote the development of

1 emerging technologies and innovations that lead to, create or sustain family
2 wage green jobs.

3 (2) The plan for the initiative developed by the board shall:

4 (a) Identify industries that are high demand green industries based on
5 current and projected creation of family wage green jobs and the potential
6 for career pathways created for such jobs.

7 (b) Use the needs of identified high demand green industries as the basis
8 for the planning of workforce development activities that promote the de-
9 velopment of emerging green technologies and innovations. These activities
10 include, but are not limited to, such efforts undertaken by community col-
11 leges, public universities listed in ORS 352.002, designated signature research
12 centers, registered apprenticeship programs and other private sector training
13 programs.

14 (c) Leverage and align existing public workforce development programs
15 and other public and private resources to the goal of recruiting, supporting,
16 educating and training of targeted populations of workers.

17 (d) Require the board to work collaboratively with stakeholders from
18 business, labor and low income advocacy groups in the regional economy to
19 develop and implement the initiative.

20 (e) Link adult basic and remedial education programs with job training
21 for skills necessary for green jobs.

22 (f) Require the board to collaborate with employers and labor organiza-
23 tions to identify skills and competencies necessary for green job career
24 pathways.

25 (g) Ensure that support services are integrated with education and train-
26 ing for green jobs and that such services are provided by organizations with
27 direct access to and experience with targeted populations.

28 (h) Include an analysis of occupations in the forest products industry to:

29 (A) Determine key growth factors and employment projections for green
30 jobs in the forest products industry; and

31 (B) Define the educational and skill standards required for current and

1 emerging green occupations in the forest products industry.

2 (3) Based on the analysis conducted under subsection (2)(h) of this sec-
3 tion, the State Workforce [*Investment*] **Development** Board, in consultation
4 with the Education and Workforce Policy Advisor, shall identify those forest
5 products industries to be classified as high-demand green industries, taking
6 into consideration current and future job creation and the strategic impor-
7 tance of the development of high-demand green forest products industry jobs
8 to the development and growth of the state’s green economy.

9 (4) As used in this section, “forest products industry” includes, but is not
10 limited to, businesses that grow, manage, harvest, transport or process forest,
11 wood and paper products.

12 **SECTION 41.** ORS 660.361 is amended to read:

13 660.361. The State Workforce [*Investment*] **Development** Board, in con-
14 sultation with state agencies, boards, commissions and private entities
15 deemed appropriate by the State Workforce [*Investment*] **Development** Board
16 shall develop a list of defined terms related to green jobs and the green
17 economy that are consistent with current workforce development and eco-
18 nomic development terminology.

19 **SECTION 42.** ORS 660.364 is amended to read:

20 660.364. The Oregon Business Development Department, in consultation
21 with the State Workforce [*Investment*] **Development** Board, shall:

22 (1) Develop criteria for existing investments and new or expanded finan-
23 cial incentives and comprehensive strategies to recruit, retain and expand
24 green economy industries, including but not limited to forest products in-
25 dustries as defined in ORS 660.358, and small businesses.

26 (2) Make recommendations for new or expanded financial incentives and
27 comprehensive strategies to stimulate research and development of green
28 technology and innovation.

29 **SECTION 43.** ORS 678.425 is amended to read:

30 678.425. The Oregon Center for Nursing and the Oregon Healthcare
31 Workforce Institute may serve in advisory capacities to the State Workforce

1 *[Investment]* **Development** Board, the Higher Education Coordinating Com-
2 mission and other related entities. The Oregon Center for Nursing may ad-
3 vise on education and workforce development issues affecting nursing. The
4 Oregon Healthcare Workforce Institute may advise on education and
5 workforce development issues affecting doctors, dentists and other allied
6 health professionals. The Oregon Center for Nursing and the Oregon
7 Healthcare Workforce Institute may work together to develop comprehensive
8 solutions to the healthcare workforce shortages in Oregon.

9 **SECTION 44.** (1) **The amendments to ORS 660.321 by section 27 of**
10 **this 2017 Act are intended to change the name of the “State Workforce**
11 **Investment Board” to the “State Workforce Development Board.”**

12 (2) **For the purpose of harmonizing and clarifying statutory law, the**
13 **Legislative Counsel may substitute for words designating the “State**
14 **Workforce Investment Board” wherever they occur in statutory law,**
15 **other words designating the “State Workforce Development Board.”**

16 **SECTION 45.** **This 2017 Act being necessary for the immediate**
17 **preservation of the public peace, health and safety, an emergency is**
18 **declared to exist, and this 2017 Act takes effect on its passage.**

19
