

HOUSE BILL 942

C8

(5lr1828)

ENROLLED BILL

— *Economic Matters and Ways and Means/Finance and Education, Health, and Environmental Affairs* —

Introduced by **The Speaker (By Request – Maryland Economic Development and Business Climate Commission) and Delegates Beitzel, Davis, ~~and Jones~~ Jones, McCray, Adams, Arentz, Aumann, Barkley, D. Barnes, Branch, Brooks, Carey, Clippinger, Ebersole, Fennell, Fisher, Frick, Glenn, Hornberger, S. Howard, Impallaria, Jameson, Kaiser, Kramer, Luedtke, Lisanti, Mautz, Metzgar, W. Miller, Patterson, Platt, Reilly, Shoemaker, Simonaire, Tarlau, Valderrama, Vaughn, Waldstreicher, Walker, A. Washington, M. Washington, and C. Wilson**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Apprenticeship Pilot Program – Apprenticeship Maryland**

3 FOR the purpose of establishing an apprenticeship pilot program called Apprenticeship
4 Maryland and identifying the purpose of the Program; providing for the duration of
5 the Program; requiring the State Department of Education, in consultation with the
6 Department of Labor, Licensing, and Regulation *and a certain entity*, to develop
7 certain criteria for the selection of certain school systems for participation in the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 Program; requiring the State Department of Education to consider providing for the
 2 selection of certain school systems as part of certain criteria; requiring the State
 3 Department of Education to collaborate with certain entities to develop criteria for
 4 eligible employers; requiring the State Department of Education to select certain
 5 local school systems to participate in the Program; authorizing certain county
 6 superintendents to select a certain number of students to participate in the Program;
 7 specifying when an eligible student may start the Program; requiring a student
 8 selected to participate in the Program to complete certain work-based training,
 9 receive certain classroom instruction, receive certain credit for the work-based
 10 training and classroom instruction completed under the Program, and complete the
 11 Program before a certain date; requiring the Department of Labor, Licensing, and
 12 Regulation to issue a certain certificate; requiring each eligible employer to pay an
 13 eligible student a certain wage; requiring the Department of Labor, Licensing, and
 14 Regulation and the State Department of Education to work together to explore certain
 15 options; requiring the Department of Labor, Licensing, and Regulation and the State
 16 Department of Education to submit jointly a certain report including certain
 17 information on or before certain dates; authorizing the Department and the State
 18 Department of Education jointly to adopt certain regulations; defining certain terms;
 19 providing for the termination of this Act; and generally relating to the
 20 Apprenticeship Maryland.

21 BY repealing and reenacting, without amendments,
 22 Article – Labor and Employment
 23 Section 11–405(b)
 24 Annotated Code of Maryland
 25 (2008 Replacement Volume and 2014 Supplement)

26 BY adding to
 27 Article – Labor and Employment
 28 Section 11–603
 29 Annotated Code of Maryland
 30 (2008 Replacement Volume and 2014 Supplement)

31 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 32 That the Laws of Maryland read as follows:

33 Article – Labor and Employment

34 11–405.

35 (b) (1) No person, firm, or corporation may offer, establish, maintain, or
 36 operate an apprenticeship or on-the-job training program for any occupation approved by
 37 the Council and recognized by the Division of Labor and Industry as an apprenticeable
 38 occupation for which tuition, charges, or fees are charged to or are payable by an enrollee
 39 or student, or which is financed in whole or in part by State funds, unless the program is
 40 first approved by the Council or the Secretary under subsection (d) of this section.

1 (2) The Council and the Division of Labor and Industry jointly shall issue
2 a certificate of approval to an applicant operating or proposing to operate the program if
3 they are satisfied, or the Secretary under subsection (d) of this section is satisfied, that the
4 conditions of entrance, the qualifications of the administrators and instructors, the content
5 of the program, the facilities, and the financial aspects of the program are adequate and
6 appropriate for the purpose of the program.

7 (3) The Council, after notice and hearing, may suspend or revoke its
8 approval of a program or course if it, or the Secretary under subsection (d) of this section,
9 finds that the program or course has ceased to meet the conditions of approval.

10 (4) Any person, firm, or corporation whose application for approval is
11 rejected or whose certificate of approval is suspended or revoked has a right of judicial
12 review as provided in the Administrative Procedure Act.

13 (5) Except as otherwise provided in this section, the Council, in
14 consultation with the Division of Labor and Industry, after notice and hearing, may adopt
15 rules and regulations for the implementation of this section, including rules and
16 regulations requiring the furnishing of periodic relevant information about approved and
17 proposed programs and the operator or proposed operator of the approved or proposed
18 programs.

19 (6) Any person, firm, or corporation that knowingly offers, establishes,
20 maintains, or operates a program in violation of this section is guilty of a misdemeanor and,
21 upon conviction, shall be fined not more than \$1,000 or be imprisoned for not more than
22 one year, or both.

23 (7) The Council, consistent with the approval of the Division of Labor and
24 Industry, in addition, shall apply to any court of competent jurisdiction for an injunction
25 restraining violations of this section.

26 **11-603.**

27 (A) (1) **IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
28 **INDICATED.**

29 (2) **“ELIGIBLE CAREER TRACK” MEANS AN OCCUPATION IN THE**
30 **MANUFACTURING INDUSTRY OR THE SCIENCE, TECHNOLOGY, ENGINEERING, AND**
31 **MATH INDUSTRIES.**

32 (3) **“ELIGIBLE EMPLOYER” MEANS AN EMPLOYER THAT:**

33 **(I) HAS AN APPRENTICE POSITION AVAILABLE FOR A HIGH**
34 **SCHOOL STUDENT IN AN ELIGIBLE CAREER TRACK; AND**

1 (II) THE APPRENTICESHIP AND TRAINING COUNCIL APPROVES
2 UNDER § 11-405(B) OF THIS TITLE.

3 (4) "ELIGIBLE STUDENT" MEANS A STUDENT WHO IS:

4 (I) INTERESTED IN OBTAINING A LICENSE OR CERTIFICATION
5 IN A SKILLED OCCUPATION; AND

6 (II) A JUNIOR OR SENIOR IN A HIGH SCHOOL IN THE STATE.

7 (5) "PROGRAM" MEANS APPRENTICESHIP MARYLAND.

8 (B) (1) THERE IS AN APPRENTICESHIP PILOT PROGRAM IN THE STATE
9 CALLED APPRENTICESHIP MARYLAND.

10 (2) THE PROGRAM SHALL BEGIN IN THE SUMMER OF 2016 AND LAST
11 FOR 2 YEARS.

12 (3) THE PURPOSE OF THE PROGRAM IS TO PREPARE STUDENTS TO
13 ENTER THE WORKFORCE BY PROVIDING SOME OF THE NECESSARY ON-SITE
14 EMPLOYMENT TRAINING AND RELATED CLASSROOM INSTRUCTION NEEDED TO
15 OBTAIN A LICENSE OR CERTIFICATION FOR A SKILLED OCCUPATION.

16 (C) (1) (I) THE STATE DEPARTMENT OF EDUCATION, IN
17 CONSULTATION WITH THE DEPARTMENT AND THE PUBLIC SCHOOL
18 SUPERINTENDENTS ASSOCIATION OF MARYLAND, SHALL DEVELOP CRITERIA FOR
19 THE SELECTION OF TWO LOCAL SCHOOL SYSTEMS TO PARTICIPATE IN THE
20 PROGRAM.

21 (II) AS PART OF THE CRITERIA DEVELOPED UNDER
22 SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE STATE DEPARTMENT OF EDUCATION
23 SHALL CONSIDER, TO THE EXTENT PRACTICABLE, PROVIDING FOR THE SELECTION
24 OF ONE URBAN SCHOOL SYSTEM AND ONE RURAL SCHOOL SYSTEM TO PARTICIPATE
25 IN THE PROGRAM.

26 (2) THE STATE DEPARTMENT OF EDUCATION SHALL COLLABORATE
27 WITH THE DEPARTMENT, THE DEPARTMENT OF BUSINESS AND ECONOMIC
28 DEVELOPMENT, AND REPRESENTATIVES OF THE BUSINESS COMMUNITY TO
29 DEVELOP CRITERIA FOR AND IDENTIFY ELIGIBLE EMPLOYERS.

30 (D) THE STATE DEPARTMENT OF EDUCATION SHALL USE THE CRITERIA
31 DEVELOPED UNDER SUBSECTION (C) OF THIS SECTION TO SELECT TWO LOCAL
32 SCHOOL SYSTEMS TO PARTICIPATE IN THE PROGRAM.

1 (E) EACH COUNTY SUPERINTENDENT FROM A PARTICIPATING SCHOOL
2 SYSTEM MAY SELECT UP TO 60 STUDENTS TO PARTICIPATE IN THE PROGRAM.

3 (F) A STUDENT SELECTED TO PARTICIPATE IN THE PROGRAM:

4 (1) MAY START THE PROGRAM IN THE SUMMER OR FALL OF THE
5 STUDENT'S JUNIOR OR SENIOR YEAR IN HIGH SCHOOL;

6 (2) SHALL COMPLETE AT LEAST 450 HOURS OF WORK-BASED
7 TRAINING UNDER THE SUPERVISION OF AN ELIGIBLE EMPLOYER;

8 (3) SHALL RECEIVE AT LEAST 1 YEAR OF CLASSROOM INSTRUCTION
9 THAT IS RELATED TO THE ELIGIBLE CAREER TRACK OF THE STUDENT; ~~AND~~

10 (4) SHALL RECEIVE CREDIT TOWARD A HIGH SCHOOL DIPLOMA OR A
11 POSTSECONDARY CREDENTIAL, OR BOTH, FOR THE WORK-BASED TRAINING AND
12 CLASSROOM INSTRUCTION COMPLETED UNDER THE PROGRAM; AND

13 ~~(4)~~ (5) SHALL COMPLETE THE PROGRAM BEFORE AUGUST 31
14 FOLLOWING THE STUDENT'S GRADUATION FROM HIGH SCHOOL.

15 (G) THE DEPARTMENT SHALL ISSUE A SKILLS CERTIFICATE TO EACH
16 ELIGIBLE STUDENT WHO COMPLETES THE PROGRAM.

17 (H) EACH ELIGIBLE EMPLOYER SHALL PAY AN ELIGIBLE STUDENT AT LEAST
18 THE APPLICABLE MINIMUM WAGE ~~SPECIFIED UNDER § 3-413 OF THIS ARTICLE~~
19 SUBJECT TO ANY LAWFUL EXEMPTIONS.

20 (I) THE DEPARTMENT AND THE STATE DEPARTMENT OF EDUCATION
21 SHALL WORK TOGETHER TO EXPLORE OPTIONS FOR INCREASING THE AVAILABILITY
22 OF AND ACCESS TO YOUTH APPRENTICESHIP PROGRAMS BASED ON THE
23 EXPERIENCES OF OTHER STATES AND COUNTRIES, AS WELL AS THE RESULTS OF THE
24 PROGRAM.

25 ~~(H)~~ (J) ON OR BEFORE DECEMBER 1, 2016, AND DECEMBER 1, 2017, THE
26 DEPARTMENT AND THE STATE DEPARTMENT OF EDUCATION SHALL REPORT
27 JOINTLY TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE
28 GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY REGARDING THE
29 EFFECTIVENESS OF THE PROGRAM AND INCLUDING:

30 (1) THE NUMBER OF STUDENTS PARTICIPATING IN THE PROGRAM
31 FROM EACH PARTICIPATING SCHOOL SYSTEM;

1 **(2) WAGE INFORMATION REGARDING PAYMENTS DISBURSED TO**
2 **STUDENTS PARTICIPATING IN THE PROGRAM;**

3 **(3) FEEDBACK FROM STUDENTS PARTICIPATING IN THE PROGRAM**
4 **ON WAYS TO IMPROVE THE PROGRAM;**

5 **(4) THE TYPES OF WORKFORCE SKILLS AND TRAINING THAT THE**
6 **STUDENTS PARTICIPATING IN THE PROGRAM WERE ABLE TO ACQUIRE;**

7 **(5) THE NUMBER OF STUDENTS WHO COMPLETED THE PROGRAM;**

8 **(6) THE NUMBER OF STUDENTS THAT EMPLOYERS RETAINED; AND**

9 **(7) RECOMMENDATIONS TO EXPAND OR DISCONTINUE THE**
10 **PROGRAM.**

11 ~~**(J)**~~ **(K) THE DEPARTMENT AND THE STATE DEPARTMENT OF**
12 **EDUCATION JOINTLY MAY ADOPT REGULATIONS TO IMPLEMENT THE PROGRAM.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2015. It shall remain effective for a period of 3 years and, at the end of June 30, 2018,
15 with no further action required by the General Assembly, this Act shall be abrogated and
16 of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.