

HOUSE BILL 942

C8

5lr1828
CF SB 772

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~~**

Introduced and read first time: February 13, 2015

Assigned to: Economic Matters and Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 16, 2015

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, to develop certain criteria for the
7 selection of certain school systems for participation in the Program; requiring the
8 State Department of Education to collaborate with certain entities to develop criteria
9 for eligible employers; requiring the State Department of Education to select certain
10 local school systems to participate in the Program; authorizing certain county
11 superintendents to select a certain number of students to participate in the Program;
12 specifying when an eligible student may start the Program; requiring a student
13 selected to participate in the Program to complete certain work-based training,
14 receive certain classroom instruction, and complete the Program before a certain
15 date; requiring the Department of Labor, Licensing, and Regulation to issue a certain
16 certificate; requiring each eligible employer to pay an eligible student a certain wage;
17 requiring the Department of Labor, Licensing, and Regulation and the State
18 Department of Education to submit jointly a certain report including certain

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.



1 information on or before certain dates; authorizing the Department and the State
2 Department of Education jointly to adopt certain regulations; defining certain terms;
3 providing for the termination of this Act; and generally relating to the
4 Apprenticeship Maryland.

5 BY repealing and reenacting, without amendments,
6 Article – Labor and Employment
7 Section 11–405(b)
8 Annotated Code of Maryland
9 (2008 Replacement Volume and 2014 Supplement)

10 BY adding to
11 Article – Labor and Employment
12 Section 11–603
13 Annotated Code of Maryland
14 (2008 Replacement Volume and 2014 Supplement)

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

17 **Article – Labor and Employment**

18 11–405.

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

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

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

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

1 (5) Except as otherwise provided in this section, the Council, in
2 consultation with the Division of Labor and Industry, after notice and hearing, may adopt
3 rules and regulations for the implementation of this section, including rules and
4 regulations requiring the furnishing of periodic relevant information about approved and
5 proposed programs and the operator or proposed operator of the approved or proposed
6 programs.

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

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

14 **11-603.**

15 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
16 INDICATED.

17 (2) "ELIGIBLE CAREER TRACK" MEANS AN OCCUPATION IN THE
18 MANUFACTURING INDUSTRY OR THE SCIENCE, TECHNOLOGY, ENGINEERING, AND
19 MATH INDUSTRIES.

20 (3) "ELIGIBLE EMPLOYER" MEANS AN EMPLOYER THAT:

21 (I) HAS AN APPRENTICE POSITION AVAILABLE FOR A HIGH
22 SCHOOL STUDENT IN AN ELIGIBLE CAREER TRACK; AND

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

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

26 (I) INTERESTED IN OBTAINING A LICENSE OR CERTIFICATION
27 IN A SKILLED OCCUPATION; AND

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

29 (5) "PROGRAM" MEANS APPRENTICESHIP MARYLAND.

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

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

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

7 **(C) (1) THE STATE DEPARTMENT OF EDUCATION, IN CONSULTATION**
8 **WITH THE DEPARTMENT, SHALL DEVELOP CRITERIA FOR THE SELECTION OF TWO**
9 **LOCAL SCHOOL SYSTEMS TO PARTICIPATE IN THE PROGRAM.**

10 **(2) THE STATE DEPARTMENT OF EDUCATION SHALL COLLABORATE**
11 **WITH THE DEPARTMENT, THE DEPARTMENT OF BUSINESS AND ECONOMIC**
12 **DEVELOPMENT, AND REPRESENTATIVES OF THE BUSINESS COMMUNITY TO**
13 **DEVELOP CRITERIA FOR AND IDENTIFY ELIGIBLE EMPLOYERS.**

14 **(D) THE STATE DEPARTMENT OF EDUCATION SHALL USE THE CRITERIA**
15 **DEVELOPED UNDER SUBSECTION (C) OF THIS SECTION TO SELECT TWO LOCAL**
16 **SCHOOL SYSTEMS TO PARTICIPATE IN THE PROGRAM.**

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

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

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

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

24 **(3) SHALL RECEIVE AT LEAST 1 YEAR OF CLASSROOM INSTRUCTION**
25 **THAT IS RELATED TO THE ELIGIBLE CAREER TRACK OF THE STUDENT; AND**

26 **(4) SHALL COMPLETE THE PROGRAM BEFORE AUGUST 31**
27 **FOLLOWING THE STUDENT'S GRADUATION FROM HIGH SCHOOL.**

28 **(G) THE DEPARTMENT SHALL ISSUE A SKILLS CERTIFICATE TO EACH**
29 **ELIGIBLE STUDENT WHO COMPLETES THE PROGRAM.**

30 **(H) EACH ELIGIBLE EMPLOYER SHALL PAY AN ELIGIBLE STUDENT AT LEAST**
31 **THE MINIMUM WAGE SPECIFIED UNDER § 3-413 OF THIS ARTICLE.**

1 (I) ON OR BEFORE DECEMBER 1, 2016, AND DECEMBER 1, 2017, THE
2 DEPARTMENT AND THE STATE DEPARTMENT OF EDUCATION SHALL REPORT
3 JOINTLY TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE
4 GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY REGARDING THE
5 EFFECTIVENESS OF THE PROGRAM AND INCLUDING:

6 (1) THE NUMBER OF STUDENTS PARTICIPATING IN THE PROGRAM
7 FROM EACH PARTICIPATING SCHOOL SYSTEM;

8 (2) WAGE INFORMATION REGARDING PAYMENTS DISBURSED TO
9 STUDENTS PARTICIPATING IN THE PROGRAM;

10 (3) FEEDBACK FROM STUDENTS PARTICIPATING IN THE PROGRAM
11 ON WAYS TO IMPROVE THE PROGRAM;

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

14 (5) THE NUMBER OF STUDENTS WHO COMPLETED THE PROGRAM;

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

16 (7) RECOMMENDATIONS TO EXPAND OR DISCONTINUE THE
17 PROGRAM.

18 (J) THE DEPARTMENT AND THE STATE DEPARTMENT OF EDUCATION
19 JOINTLY MAY ADOPT REGULATIONS TO IMPLEMENT THE PROGRAM.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
21 1, 2015. It shall remain effective for a period of 3 years and, at the end of June 30, 2018,
22 with no further action required by the General Assembly, this Act shall be abrogated and
23 of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.