

## Chapter 140

**(House Bill 942)**

AN ACT concerning

**Apprenticeship Pilot Program – Apprenticeship Maryland**

FOR the purpose of establishing an apprenticeship pilot program called Apprenticeship Maryland and identifying the purpose of the Program; providing for the duration of the Program; requiring the State Department of Education, in consultation with the Department of Labor, Licensing, and Regulation and a certain entity, to develop certain criteria for the selection of certain school systems for participation in the Program; requiring the State Department of Education to consider providing for the selection of certain school systems as part of certain criteria; requiring the State Department of Education to collaborate with certain entities to develop criteria for eligible employers; requiring the State Department of Education to select certain local school systems to participate in the Program; authorizing certain county superintendents to select a certain number of students to participate in the Program; specifying when an eligible student may start the Program; requiring a student selected to participate in the Program to complete certain work-based training, receive certain classroom instruction, receive certain credit for the work-based training and classroom instruction completed under the Program, and complete the Program before a certain date; requiring the Department of Labor, Licensing, and Regulation to issue a certain certificate; requiring each eligible employer to pay an eligible student a certain wage; requiring the Department of Labor, Licensing, and Regulation and the State Department of Education to work together to explore certain options; requiring the Department of Labor, Licensing, and Regulation and the State Department of Education to submit jointly a certain report including certain information on or before certain dates; authorizing the Department and the State Department of Education jointly to adopt certain regulations; defining certain terms; providing for the termination of this Act; and generally relating to the Apprenticeship Maryland.

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

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

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

**Article – Labor and Employment**

11-405.

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

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

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

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

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

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

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

11-603.

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

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

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

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

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

(4) “ELIGIBLE STUDENT” MEANS A STUDENT WHO IS:

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

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

(5) “PROGRAM” MEANS APPRENTICESHIP MARYLAND.

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

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

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

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

(II) AS PART OF THE CRITERIA DEVELOPED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE STATE DEPARTMENT OF EDUCATION

**SHALL CONSIDER, TO THE EXTENT PRACTICABLE, PROVIDING FOR THE SELECTION OF ONE URBAN SCHOOL SYSTEM AND ONE RURAL SCHOOL SYSTEM TO PARTICIPATE IN THE PROGRAM.**

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

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

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

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

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

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

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

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

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

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

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

(I) THE DEPARTMENT AND THE STATE DEPARTMENT OF EDUCATION SHALL WORK TOGETHER TO EXPLORE OPTIONS FOR INCREASING THE AVAILABILITY

**OF AND ACCESS TO YOUTH APPRENTICESHIP PROGRAMS BASED ON THE EXPERIENCES OF OTHER STATES AND COUNTRIES, AS WELL AS THE RESULTS OF THE PROGRAM.**

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

- (1) THE NUMBER OF STUDENTS PARTICIPATING IN THE PROGRAM FROM EACH PARTICIPATING SCHOOL SYSTEM;**
- (2) WAGE INFORMATION REGARDING PAYMENTS DISBURSED TO STUDENTS PARTICIPATING IN THE PROGRAM;**
- (3) FEEDBACK FROM STUDENTS PARTICIPATING IN THE PROGRAM ON WAYS TO IMPROVE THE PROGRAM;**
- (4) THE TYPES OF WORKFORCE SKILLS AND TRAINING THAT THE STUDENTS PARTICIPATING IN THE PROGRAM WERE ABLE TO ACQUIRE;**
- (5) THE NUMBER OF STUDENTS WHO COMPLETED THE PROGRAM;**
- (6) THE NUMBER OF STUDENTS THAT EMPLOYERS RETAINED; AND**
- (7) RECOMMENDATIONS TO EXPAND OR DISCONTINUE THE PROGRAM.**

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

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

**Approved by the Governor, May 12, 2015.**