

Chapter 403

(Senate Bill 545)

AN ACT concerning

Labor and Employment – Apprenticeship Career Training in Our Neighborhoods (ACTION) Program – Establishment

FOR the purpose of altering and renaming the Construction Apprenticeship Assistance Program to establish the Apprenticeship Career Training in Our Neighborhoods (ACTION) Program; altering the purpose and method for administering the Program; requiring the Department of Labor, Licensing, and Regulation to administer the Program; establishing certain standards under which certain employers may be eligible to receive certain grants; requiring the Department, rather than the Secretary, to adopt certain regulations; altering a specification regarding the method for awarding certain grants to certain eligible employers and determining the amount of the grant for each eligible employer; repealing specifications regarding ~~a certain maximum grant amount and~~ the process for distributing certain grants; declaring the intent of the General Assembly that the Program receive certain funding on an annual basis; defining a certain term; and generally relating to the Apprenticeship Career Training in Our Neighborhoods (ACTION) Program.

BY repealing and reenacting, with amendments,
 Article – Labor and Employment
 Section 11–601
 Annotated Code of Maryland
 (2008 Replacement Volume and 2015 Supplement)

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

Article – Labor and Employment

11–601.

(a) In this section, [“private sector entity” means a person that the Maryland Apprenticeship and Training Council approves under § 11–405(b) of this title] **“ACTION PROGRAM” MEANS THE APPRENTICESHIP CAREER TRAINING IN OUR NEIGHBORHOODS PROGRAM ESTABLISHED UNDER THIS SECTION.**

(b) There is [a Construction Apprenticeship Assistance] **AN APPRENTICESHIP CAREER TRAINING IN OUR NEIGHBORHOODS** Program in the Department.

(c) The [purpose] **PURPOSES** of the [Construction Apprenticeship Assistance] **ACTION** Program [is] **ARE**:

(1) to develop a well-trained, productive construction workforce which meets the needs of the State's economy;

(2) **TO ENCOURAGE EMPLOYERS TO HIRE APPRENTICES IN THE CONSTRUCTION INDUSTRY; AND**

(3) **TO HELP EMPLOYERS OFFSET ADDITIONAL COSTS, IF ANY, ASSOCIATED WITH HIRING APPRENTICES.**

(d) (1) The [Division] **DEPARTMENT** shall administer the [Construction Apprenticeship Assistance] **ACTION** Program and **PROVIDE GRANTS ON A COMPETITIVE BASIS TO EMPLOYERS THAT MEET THE REQUIREMENTS UNDER PARAGRAPH (2) OF THIS SUBSECTION.**

(2) **AN EMPLOYER IS ELIGIBLE TO RECEIVE A GRANT IF THE EMPLOYER EMPLOYS ONE OR MORE APPRENTICES WHO:**

(I) **HAVE BEEN EMPLOYED BY THE EMPLOYER FOR AT LEAST 7 MONTHS;**

(II) **ARE ENGAGED IN A BUILDING OR CONSTRUCTION TRADE;**

(III) **ARE ENROLLED IN THE FIRST YEAR OF AN APPRENTICESHIP PROGRAM REGISTERED WITH THE MARYLAND APPRENTICESHIP AND TRAINING COUNCIL UNDER § 11-405(B) OF THIS TITLE; AND**

(IV) **LIVE IN A ZIP CODE IN WHICH THE PERCENTAGE OF POVERTY IS AT LEAST 20% AS ESTABLISHED BY THE U.S. DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS, IN THE MOST RECENTLY RELEASED DATA.**

(e) (1) As provided in the State budget, the [Construction Apprenticeship Assistance] **ACTION** Program shall award grants to eligible [private sector entities that operate apprenticeship programs in the State] **EMPLOYERS.**

(2) **IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT, FOR FISCAL YEAR 2017 AND EACH FISCAL YEAR THEREAFTER, THE STATE BUDGET INCLUDE AN APPROPRIATION OF AT LEAST \$100,000 FOR THE ACTION PROGRAM TO:**

(I) **PROVIDE GRANTS TO ELIGIBLE EMPLOYERS; AND**

(II) COVER ADMINISTRATIVE COSTS.

(f) [The Secretary may] **THE DEPARTMENT SHALL** adopt regulations necessary to carry out this section, **INCLUDING REGULATIONS TO:**

(1) DEVELOP REQUIREMENTS FOR GRANT APPLICATIONS;

(2) DEVELOP A PROCESS FOR REVIEWING GRANT APPLICATIONS AND AWARDING GRANTS TO ELIGIBLE EMPLOYERS; AND

(3) DETERMINE A CAP FOR THE MAXIMUM AMOUNT OF A GRANT THAT AN ELIGIBLE EMPLOYER MAY RECEIVE EACH YEAR.

(g) [By regulation, the Secretary shall establish:

(1) criteria to determine the eligibility of private sector entities; and

(2) an application process for determining eligibility.

(h) **A] THE AMOUNT OF A** grant awarded by the [Construction Apprenticeship Assistance] **ACTION** Program under subsection (e) of this section shall be based on the number of [participants in a program operated by an eligible private sector entity] **APPRENTICES THAT AN ELIGIBLE EMPLOYER EMPLOYS WHO SATISFY THE CRITERIA IN SUBSECTION (D)(2) OF THIS SECTION THAT THE ELIGIBLE EMPLOYER EMPLOYS.**

~~(i)~~ **(H)** A grant shall consist of a maximum of \$1,000 for each apprentice ~~in an eligible private sector entity~~ **THAT AN ELIGIBLE EMPLOYER EMPLOYS WHO SATISFIES THE CRITERIA IN SUBSECTION (D)(2) OF THIS SECTION.**

~~(j)~~ ~~The Construction Apprenticeship Assistance Program shall distribute a grant awarded to a private sector entity:~~

~~(1) at the end of a Program year; and~~

~~(2) only to the extent that each apprentice has completed the Program year.]~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2016.

Approved by the Governor, May 10, 2016.