

SENATE BILL 791

Unofficial Copy
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1998 Regular Session
(81r2801)

ENROLLED BILL
-- Budget and Taxation/Ways and Means --

Introduced by ~~Senator Lawlah~~ Senators Lawlah and McFadden

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.

President.

CHAPTER _____

1 AN ACT concerning

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~~School Construction—Work-Based Learning Programs~~
Task Force to Study School Construction Work-Based Learning and
Apprenticeship Programs

5 FOR the purpose of ~~requiring contractors for certain State-funded school~~
6 ~~construction projects to consult with county boards of education in order to~~
7 ~~implement certain work-based learning programs within the projects; requiring~~
8 ~~the contractors to hire certain qualified individuals for the projects under~~
9 ~~certain circumstances; defining certain terms; and generally relating to school~~
10 ~~construction contracts~~ *establishing a Task Force to Study School Construction*
11 *Work-Based Learning and Apprenticeship Programs; establishing the*
12 *membership and duties of the Task Force; requiring the Task Force to conduct a*
13 *certain study and report to the Governor and the General Assembly on or before*
14 *a certain date; and generally relating to the Task Force to Study School*
15 *Construction Work-Based Learning and Apprenticeship Programs.*

16 ~~BY adding to~~

1 ~~Article—Education~~
2 ~~Section 5-309~~
3 ~~Annotated Code of Maryland~~
4 ~~(1997 Replacement Volume and 1997 Supplement)~~

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

7 ~~**Article—Education**~~

8 ~~5-309.~~

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

11 ~~(2) "APPROVED AND REGISTERED WORK BASED LEARNING PROGRAM"~~
12 ~~MEANS A PROGRAM THAT IS:~~

13 ~~(I) CONDUCTED UNDER THE TERMS OF AN AGREEMENT BETWEEN~~
14 ~~A COUNTY BOARD AND A CONTRACTOR; OR~~

15 ~~(II) REGISTERED AND APPROVED BY THE APPRENTICESHIP AND~~
16 ~~TRAINING COUNCIL UNDER THE PROVISIONS OF TITLE 11, SUBTITLE 4 OF THE LABOR~~
17 ~~AND EMPLOYMENT ARTICLE.~~

18 ~~(3) "CONSTRUCTION PROJECT" MEANS:~~

19 ~~(I) BUILDING;~~

20 ~~(II) RECONSTRUCTING;~~

21 ~~(III) IMPROVING;~~

22 ~~(IV) ENLARGING;~~

23 ~~(V) PAINTING OR DECORATING;~~

24 ~~(VI) ALTERING;~~

25 ~~(VII) MAINTAINING; OR~~

26 ~~(VIII) REPAIRING.~~

27 ~~(B) A CONTRACTOR FOR A SCHOOL CONSTRUCTION PROJECT THAT IS FUNDED~~
28 ~~IN WHOLE OR IN PART BY STATE FUNDS SHALL CONSULT WITH THE COUNTY BOARD~~
29 ~~IN ORDER TO ESTABLISH AN AGREEMENT TO IMPLEMENT TO THE MAXIMUM EXTENT~~
30 ~~POSSIBLE AN APPROVED AND REGISTERED WORK BASED LEARNING PROGRAM.~~

31 ~~(C) IN EFFECTING THE IMPLEMENTATION OF AN AGREEMENT TO IMPLEMENT~~
32 ~~AN APPROVED AND REGISTERED WORK BASED LEARNING PROGRAM FOR A SCHOOL~~

1 CONSTRUCTION PROJECT, THE CONTRACTOR AND THE COUNTY BOARD SHALL
2 CONSIDER:

3 (1) ~~THE SCOPE OF THE PROJECT;~~

4 (2) ~~THE DURATION OF THE CONTRACT;~~

5 (3) ~~THE COST OF THE PROJECT; AND~~

6 (4) ~~THE EXTENT OF MEANINGFUL WORK-BASED LEARNING~~
7 ~~OPPORTUNITIES WITHIN THE PROJECT.~~

8 (D) ~~IN ACCORDANCE WITH AN APPROVED AND REGISTERED WORK-BASED~~
9 ~~LEARNING PROGRAM, THE CONTRACTOR SHALL HIRE FOR THE CONSTRUCTION~~
10 ~~PROJECT INDIVIDUALS WHO:~~

11 (1) ~~DEMONSTRATE POTENTIAL FOR BEING SUCCESSFUL EMPLOYEES IN~~
12 ~~THE CONSTRUCTION INDUSTRY; AND~~

13 (2) ~~ARE SECONDARY SCHOOL STUDENTS, INDIVIDUALS WHO HAVE~~
14 ~~RECEIVED A HIGH SCHOOL DIPLOMA, INDIVIDUALS WHO ARE ENROLLED IN A~~
15 ~~PROGRAM TO RECEIVE A HIGH SCHOOL DIPLOMA OR EQUIVALENCY, OR INDIVIDUALS~~
16 ~~WHO ARE ATTENDING AN INSTITUTION OF POSTSECONDARY EDUCATION ARE ONE~~
17 ~~OF THE FOLLOWING:~~

18 (I) ~~AN INDIVIDUAL WHO IS A SECONDARY SCHOOL STUDENT;~~

19 (II) ~~AN INDIVIDUAL WHO HAS RECEIVED A HIGH SCHOOL DIPLOMA~~
20 ~~AND IS LESS THAN 23 YEARS OF AGE;~~

21 (III) ~~AN INDIVIDUAL WHO IS ENROLLED IN A PROGRAM TO RECEIVE~~
22 ~~A HIGH SCHOOL DIPLOMA OR EQUIVALENCY; OR~~

23 (IV) ~~AN INDIVIDUAL WHO IS ATTENDING AN INSTITUTION OF~~
24 ~~POSTSECONDARY EDUCATION.~~

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
26 MARYLAND, That:

27 (a) There shall be a Task Force to Study School Construction Work-Based
28 Learning and Apprenticeship Programs consisting of the following members:

29 (1) 1 member of the Senate of Maryland, appointed by the President of the
30 Senate;

31 (2) 1 member of the House of Delegates, appointed by the Speaker of the
32 House;

33 (3) 3 representatives from each of three county boards of education active
34 in work-based learning programs, appointed by the Governor;

1 (4) The State Superintendent of Schools, or a designee of the State
2 Superintendent;

3 (5) 1 representative from the Interagency Committee on School
4 Construction, appointed by the Governor;

5 (6) 2 members of the Building and Construction Trades Council,
6 appointed by the Governor;

7 (7) 2 training directors from an apprenticeship program approved by the
8 Apprenticeship and Training Council, appointed by the Secretary of Labor, Licensing,
9 and Regulation;

10 (8) 2 representatives from the Associated Building Contractors
11 Associated, appointed by the Secretary of Labor, Licensing, and Regulation; and

12 (9) 1 student enrolled in a work-based learning program, appointed by
13 the State Superintendent of Schools.

14 (b) The Governor shall designate the Chairman of the Task Force.

15 (c) The Task Force shall conduct a study of existing school construction
16 work-based learning and apprenticeship programs, including:

17 (1) The number of individuals who have participated in such programs
18 and the length of their participation;

19 (2) The number of individuals who have participated in such programs
20 who are members of a group that is disadvantaged socially or economically; and

21 (3) The number of individuals who have entered an apprenticeship
22 program in the construction industry after participating in such programs.

23 (d) On or before December 15, 1999, the Task Force shall submit to the
24 Governor and, subject to § 2-1246 of the State Government Article, the General
25 Assembly a report that contains the findings of the study conducted by the Task Force,
26 and the recommendations of the Task Force on how to expand and improve the
27 work-based learning and apprenticeship programs involved with public school
28 construction programs statewide.

29 (e) Staff for the Task Force shall be provided by the Maryland State
30 Department of Education and the Department of Labor, Licensing, and Regulation.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
32 effect ~~October 1, 1998~~ June 1, 1998.

