

SENATE BILL 791

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1998 Regular Session  
8lr2801

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By: ~~Senator Lawlah~~ **Senators Lawlah and McFadden**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 12, 1998

Assigned to: Rules

Re-referred to: Budget and Taxation, March 20, 1998

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 1, 1998

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **School Construction - Work-Based Learning Programs**

3 FOR the purpose of requiring contractors for certain State-funded school  
4 construction projects to consult with county boards of education in order to  
5 implement certain work-based learning programs within the projects; requiring  
6 the contractors to hire certain qualified individuals for the projects under  
7 certain circumstances; defining certain terms; and generally relating to school  
8 construction contracts.

9 BY adding to  
10 Article - Education  
11 Section 5-309  
12 Annotated Code of Maryland  
13 (1997 Replacement Volume and 1997 Supplement)

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

16 **Article - Education**

17 5-309.

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

1 (2) "APPROVED AND REGISTERED WORK-BASED LEARNING PROGRAM"  
2 MEANS A PROGRAM THAT IS:

3 (I) CONDUCTED UNDER THE TERMS OF AN AGREEMENT BETWEEN  
4 A COUNTY BOARD AND A CONTRACTOR; OR

5 (II) REGISTERED AND APPROVED BY THE APPRENTICESHIP AND  
6 TRAINING COUNCIL UNDER THE PROVISIONS OF TITLE 11, SUBTITLE 4 OF THE LABOR  
7 AND EMPLOYMENT ARTICLE.

8 (3) "CONSTRUCTION PROJECT" MEANS:

9 (I) BUILDING;

10 (II) RECONSTRUCTING;

11 (III) IMPROVING;

12 (IV) ENLARGING;

13 (V) PAINTING OR DECORATING;

14 (VI) ALTERING;

15 (VII) MAINTAINING; OR

16 (VIII) REPAIRING.

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

21 (C) IN EFFECTING ~~THE IMPLEMENTATION OF AN AGREEMENT TO IMPLEMENT~~  
22 AN APPROVED AND REGISTERED WORK-BASED LEARNING PROGRAM FOR A SCHOOL  
23 CONSTRUCTION PROJECT, THE CONTRACTOR AND THE COUNTY BOARD SHALL  
24 CONSIDER:

25 (1) THE SCOPE OF THE PROJECT;

26 (2) THE DURATION OF THE CONTRACT;

27 (3) THE COST OF THE PROJECT; AND

28 (4) THE EXTENT OF MEANINGFUL WORK-BASED LEARNING  
29 OPPORTUNITIES WITHIN THE PROJECT.

30 (D) IN ACCORDANCE WITH AN APPROVED AND REGISTERED WORK-BASED  
31 LEARNING PROGRAM, THE CONTRACTOR SHALL HIRE FOR THE CONSTRUCTION  
32 PROJECT INDIVIDUALS WHO:

1 (1) DEMONSTRATE POTENTIAL FOR BEING SUCCESSFUL EMPLOYEES IN  
2 THE CONSTRUCTION INDUSTRY; AND

3 (2) ~~ARE SECONDARY SCHOOL STUDENTS, INDIVIDUALS WHO HAVE~~  
4 ~~RECEIVED A HIGH SCHOOL DIPLOMA, INDIVIDUALS WHO ARE ENROLLED IN A~~  
5 ~~PROGRAM TO RECEIVE A HIGH SCHOOL DIPLOMA OR EQUIVALENCY, OR INDIVIDUALS~~  
6 ~~WHO ARE ATTENDING AN INSTITUTION OF POSTSECONDARY EDUCATION ARE ONE~~  
7 OF THE FOLLOWING:

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

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

11 (III) AN INDIVIDUAL WHO IS ENROLLED IN A PROGRAM TO RECEIVE  
12 A HIGH SCHOOL DIPLOMA OR EQUIVALENCY; OR

13 (IV) AN INDIVIDUAL WHO IS ATTENDING AN INSTITUTION OF  
14 POSTSECONDARY EDUCATION.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
16 effect October 1, 1998.