

SENATE BILL 405

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SB 313/01 - EEA

2002 Regular Session
2r1698

By: **Senators Pinsky, Bromwell, Collins, Currie, Della, Dorman, Exum,
Green, Hollinger, Kelley, Lawlah, McFadden, Mitchell, Stone, and
Teitelbaum**

Introduced and read first time: January 30, 2002

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Public Work Contracts - Apprenticeship Programs**

3 FOR the purpose of requiring that contractors and subcontractors under certain
4 public work contracts have, or be a member of an association that has, a certain
5 apprenticeship program in place for a certain period of time; requiring a
6 contractor or subcontractor under certain public work contracts to hire a certain
7 number of apprentices relative to the number of journey persons it hires; and
8 generally relating to apprenticeship programs for public work contracts.

9 BY repealing and reenacting, with amendments,
10 Article - State Finance and Procurement
11 Section 17-205
12 Annotated Code of Maryland
13 (2001 Replacement Volume)

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

16 **Article - State Finance and Procurement**

17 17-205.

18 (a) A contractor or subcontractor under a public work contract subject to this
19 subtitle:

20 (1) shall employ only competent workers and apprentices who qualify
21 under subsection (b) of this section;

22 (2) SHALL HAVE, OR BE A MEMBER OF AN ASSOCIATION THAT HAS, AN
23 APPROVED AND REGISTERED APPRENTICESHIP PROGRAM IN PLACE AT LEAST 6
24 MONTHS BEFORE SUBMITTING A BID OR PROPOSAL FOR THE CONTRACT;

25 (3) SHALL HIRE REGISTERED APPRENTICES AT A RATIO OF ONE
26 APPRENTICE FOR EVERY THREE JOURNEY PERSONS;

1 [~~(2)~~] (4) may not employ any individual classified as a helper or trainee;
2 and

3 [~~(3)~~] (5) may refuse to employ a worker who is a resident of another
4 state if the Commissioner finds that the other state enforces a law that prohibits a
5 resident of this State from employment as a worker under a public work contract in
6 that state, unless:

7 (i) the refusal is in conflict or otherwise inconsistent with a federal
8 law applicable to the public work;

9 (ii) the federal government is to pay wholly or partly for the public
10 work; and

11 (iii) the inconsistency with federal law jeopardizes the availability of
12 federal funds for the public work.

13 (b) An apprentice under a public work contract shall be part of and used in
14 accordance with an apprenticeship program registered with the Council and approved
15 by the Bureau of Apprenticeship and Training of the United States Department of
16 Labor.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 July 1, 2002.