

# HOUSE BILL 1086

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By: **Delegate Cassilly**

Introduced and read first time: February 8, 2019

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Apprenticeship Maryland – Establishment, Requirements, and Report**

3 FOR the purpose of establishing an apprenticeship program called Apprenticeship  
4 Maryland; providing for the purpose of the Program; requiring the State Department  
5 of Education, in consultation with the Department of Labor, Licensing, and  
6 Regulation and a certain entity, to select certain local school systems to participate  
7 in the Program; requiring the State Department of Education, in consultation with  
8 the Department of Labor, Licensing, and Regulation to select certain participating  
9 employers; authorizing certain county superintendents to select a certain number of  
10 eligible students to participate in the Program; requiring certain eligible students  
11 to meet certain requirements to complete the Program; requiring the Department of  
12 Labor, Licensing, and Regulation to issue a certain certificate to certain eligible  
13 students; requiring participating employers to pay eligible students a certain wage;  
14 requiring the Department of Labor, Licensing, and Regulation and the State  
15 Department of Education to jointly explore certain options; authorizing the  
16 Department of Labor, Licensing, and Regulation and the State Department of  
17 Education to jointly adopt certain regulations; requiring the Department of Labor,  
18 Licensing, and Regulation and the State Department of Education to jointly submit  
19 to the General Assembly a report including certain information on or before a certain  
20 date each year; defining certain terms; and generally relating to Apprenticeship  
21 Maryland.

22 BY repealing and reenacting, without amendments,  
23 Article – Labor and Employment  
24 Section 11–405(b)  
25 Annotated Code of Maryland  
26 (2016 Replacement Volume and 2018 Supplement)

27 BY adding to  
28 Article – Labor and Employment  
29 Section 11–603

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland  
2 (2016 Replacement Volume and 2018 Supplement)

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

5 **Article – Labor and Employment**

6 11–405.

7 (b) (1) No person, firm, or corporation may offer, establish, maintain, or  
8 operate an apprenticeship program for any occupation approved by the Division of  
9 Workforce Development and Adult Learning as an apprenticeable occupation for which  
10 tuition, charges, or fees are charged to or are payable by an enrollee or student, or which is  
11 financed in whole or in part by State funds, unless the program is first approved by the  
12 Division of Workforce Development and Adult Learning.

13 (2) (i) The Division of Workforce Development and Adult Learning  
14 shall issue a certificate of approval to an applicant operating or proposing to operate the  
15 program if the Division of Workforce Development and Adult Learning is satisfied that the  
16 conditions of entrance, the qualifications of the administrators and instructors, the content  
17 of the program, the facilities, and the financial aspects of the program are adequate and  
18 appropriate for the purpose of the program.

19 (ii) If the Division of Workforce Development and Adult Learning  
20 does not issue a certificate of approval to an applicant operating or proposing to operate a  
21 program, any person, firm, or corporation whose application is rejected has a right to  
22 judicial review under Title 10, Subtitle 2 of the State Government Article.

23 (3) (i) The Division of Workforce Development and Adult Learning,  
24 after notice and hearing, may deregister a program or course if it finds that the program or  
25 course has ceased to meet the conditions of approval.

26 (ii) Any person, association, committee, or organization that  
27 operates an apprenticeship program that is deregistered by the Division of Workforce  
28 Development and Adult Learning may request a hearing before the United States  
29 Department of Labor.

30 (4) After consulting the Council, the Division of Workforce Development  
31 and Adult Learning, after notice and hearing, may adopt rules and regulations for the  
32 implementation of this section, including rules and regulations requiring the furnishing of  
33 periodic relevant information about approved and proposed programs and the operator or  
34 proposed operator of the approved or proposed programs.

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

1 one year, or both.

2 (6) If recommended by the Council, the Division of Workforce Development  
3 and Adult Learning may apply to any court of competent jurisdiction for an injunction  
4 restraining violations of this section.

5 **11-603.**

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

8 (2) "ELIGIBLE CAREER TRACK" MEANS AN OCCUPATION IN THE  
9 MANUFACTURING INDUSTRY OR THE SCIENCE, TECHNOLOGY, ENGINEERING, OR  
10 MATH INDUSTRIES.

11 (3) "ELIGIBLE STUDENT" MEANS A STUDENT WHO IS:

12 (I) INTERESTED IN OBTAINING A LICENSE OR CERTIFICATION  
13 IN A SKILLED OCCUPATION THAT IS AN ELIGIBLE CAREER TRACK; AND

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

15 (4) "PARTICIPATING EMPLOYER" MEANS AN EMPLOYER THAT:

16 (I) HAS AN APPRENTICE POSITION AVAILABLE FOR A HIGH  
17 SCHOOL STUDENT IN A SKILLED OCCUPATION THAT IS AN ELIGIBLE CAREER TRACK;

18 (II) IS APPROVED BY THE APPRENTICESHIP AND TRAINING  
19 COUNCIL UNDER § 11-405(B) OF THIS TITLE; AND

20 (III) AGREES TO PARTICIPATE IN THE PROGRAM.

21 (5) "PROGRAM" MEANS APPRENTICESHIP MARYLAND.

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

24 (2) THE PURPOSE OF THE PROGRAM IS TO PREPARE ELIGIBLE  
25 STUDENTS TO ENTER THE WORKFORCE BY PROVIDING SOME OF THE NECESSARY  
26 ON-SITE EMPLOYMENT TRAINING AND RELATED CLASSROOM INSTRUCTION  
27 NEEDED TO OBTAIN A LICENSE OR CERTIFICATION FOR A SKILLED OCCUPATION  
28 THAT IS AN ELIGIBLE CAREER TRACK.

29 (C) (1) THE STATE DEPARTMENT OF EDUCATION, IN CONSULTATION

1 WITH THE DEPARTMENT AND THE PUBLIC SCHOOL SUPERINTENDENTS  
2 ASSOCIATION OF MARYLAND, SHALL SELECT SIX LOCAL SCHOOL SYSTEMS TO  
3 PARTICIPATE IN THE PROGRAM.

4 (2) THE STATE DEPARTMENT OF EDUCATION, IN CONSULTATION  
5 WITH THE DEPARTMENT, SHALL IDENTIFY AND SELECT PARTICIPATING  
6 EMPLOYERS.

7 (D) EACH COUNTY SUPERINTENDENT FROM A PARTICIPATING LOCAL  
8 SCHOOL SYSTEM MAY SELECT UP TO 30 ELIGIBLE STUDENTS TO PARTICIPATE IN THE  
9 PROGRAM.

10 (E) AN ELIGIBLE STUDENT SELECTED TO PARTICIPATE IN THE PROGRAM  
11 SHALL:

12 (1) BEGIN THE PROGRAM IN THE SUMMER OR FALL OF THE  
13 STUDENT'S JUNIOR OR SENIOR YEAR IN HIGH SCHOOL;

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

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

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

21 (5) COMPLETE THE PROGRAM BEFORE AUGUST 31 FOLLOWING THE  
22 STUDENT'S GRADUATION FROM HIGH SCHOOL.

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

25 (G) EACH PARTICIPATING EMPLOYER SHALL PAY AN ELIGIBLE STUDENT AT  
26 LEAST THE STATE MINIMUM WAGE.

27 (H) THE DEPARTMENT AND THE STATE DEPARTMENT OF EDUCATION  
28 JOINTLY SHALL EXPLORE OPTIONS FOR INCREASING THE AVAILABILITY OF AND  
29 ACCESS TO YOUTH APPRENTICESHIP PROGRAMS BASED ON THE RESULTS OF THE  
30 PROGRAM AND THE EXPERIENCES OF OTHER STATES AND COUNTRIES.

31 (I) THE DEPARTMENT AND THE STATE DEPARTMENT OF EDUCATION  
32 JOINTLY MAY ADOPT REGULATIONS TO IMPLEMENT THE PROGRAM.

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

6           **(1) THE NUMBER OF STUDENTS:**

7                   **(I) PARTICIPATING IN THE PROGRAM FROM EACH**  
8 **PARTICIPATING LOCAL SCHOOL SYSTEM;**

9                   **(II) WHO COMPLETED THE PROGRAM; AND**

10                   **(III) RETAINED BY A PARTICIPATING EMPLOYER AFTER**  
11 **COMPLETING THE PROGRAM;**

12           **(2) WAGES PAID TO ELIGIBLE STUDENTS PARTICIPATING IN THE**  
13 **PROGRAM;**

14           **(3) FEEDBACK FROM ELIGIBLE STUDENTS PARTICIPATING IN THE**  
15 **PROGRAM ON WAYS TO IMPROVE THE PROGRAM;**

16           **(4) THE TYPES OF WORKFORCE SKILLS AND TRAINING THAT THE**  
17 **ELIGIBLE STUDENTS ACQUIRED WHILE PARTICIPATING IN THE PROGRAM; AND**

18           **(5) RECOMMENDATIONS TO EXPAND OR DISCONTINUE THE**  
19 **PROGRAM.**

20           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
21 1, 2019.