

SENATE BILL 545

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6lr2449
CF HB 290

By: **Senators Pugh, Ferguson, and Rosapepe**

Introduced and read first time: February 4, 2016

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 27, 2016

CHAPTER _____

1 AN ACT concerning

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

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

18 BY repealing and reenacting, with amendments,
19 Article – Labor and Employment
20 Section 11–601
21 Annotated Code of Maryland
22 (2008 Replacement Volume and 2015 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Labor and Employment**

4 11–601.

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

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

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

13 (1) to develop a well–trained, productive construction workforce which
14 meets the needs of the State’s economy;

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

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

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

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

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

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

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

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

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

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

10 (I) PROVIDE GRANTS TO ELIGIBLE EMPLOYERS; AND

11 (II) COVER ADMINISTRATIVE COSTS.

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

14 (1) DEVELOP REQUIREMENTS FOR GRANT APPLICATIONS;

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

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

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

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

21 (2) an application process for determining eligibility.

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

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

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

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

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

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
5 1, 2016.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.