

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

ONE HUNDRED AND FIRST LEGISLATURE

---

---

Legislative Document

No. 497

H. P. 340

House of Representatives, January 22, 1963

Referred to Committee on Labor. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Ross of Augusta.

---

---

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-THREE

---

AN ACT Revising the Maine Voluntary Apprenticeship Law.

---

Be it enacted by the People of the State of Maine, as follows:

**Sec. 1. R. S., c. 30, § 148, amended.** Section 148 of chapter 30 of the Revised Statutes is amended to read as follows:

**'Sec. 148. Definitions.** When used in sections 148 to 154:

**I. Apprentice.** "Apprentice" shall mean a person at least 16 years of age, employed under a written agreement to work at and learn a specific trade.

**II. Apprentice agreement.** "Apprentice agreement" shall mean a written agreement entered into by an apprentice or organization of employees with an employer or with an association of employers, **or organization of employees**, which agreement provides for not less than 4,000 hours of reasonably continuous employment for the apprentice, for his participation in a definite sequency of job training, and for such related and supplemental instruction as may be deemed necessary to qualify as a journeyman in the particular trade effected.

**III. Council.** "Council" shall mean the State Apprenticeship Council.'

**Sec. 2. R. S., c. 30, § 149, amended.** Section 149 of chapter 30 of the Revised Statutes is amended to read as follows:

**'Sec. 149. State Apprenticeship Council.** The State Apprenticeship Council, as heretofore established, shall be composed of ~~9~~ **11** members to be appointed by the Governor and made up as follows: ~~3~~ **4** members shall be representatives of employees, ~~2 of whom~~ and shall be bona fide members of a recognized major labor organization; ~~3~~ **4** members shall be representatives of employers, ~~2 of whom~~ and shall be bona fide employers or authorized representatives of bona fide employers; and 3 members shall be representatives of the public and shall

be selected from neither industrial employers nor employees nor shall they be directly concerned with any particular industrial employer or employee. The appointments shall be made so that the term of one member of each group shall expire each year. Each member shall hold office until his successor is appointed and qualified, and any vacancy shall be filled by appointment for the unexpired portion of the term. **The State Apprenticeship Council shall advise the Governor of impending appointments and shall refer to him for consideration no less than 3 persons who might be considered for each vacancy.** The chairman and secretary of the council shall be named by the members of the council, **the chairman coming** from the group which represents the public. The Director of Vocational Education ~~and~~, the Commissioner of Labor and Industry **and the Chairman of the Maine Employment Security Commission** shall be ~~available to the council for consultation~~ **ex officio members of the council without vote.** The members of the council shall receive no reimbursement for their services, but shall be reimbursed for travel at the same mileage rate and on the same basis as regular state employees and shall receive reimbursement for subsistence necessarily incurred in the performance of their duties.

**The budget request of the council shall be incorporated in the overall budget of the Department of Labor and Industry, and the commissioner shall be responsible for the disbursement of these funds according to council policy. The commissioner shall be responsible for the selection and supervision of all personnel who may be employed by the council.**

The council shall:

**I. Establish standards.** Establish standards, through joint action of employers and employees, and assist in the development of apprenticeship programs in conformity with ~~the provisions of~~ sections 148 to 154, and generally encourage and promote the establishment of apprenticeship programs.

**II. Registration.** Register or terminate or cancel the registration of apprenticeship programs and apprenticeship agreements.

**III. Certificates of completion.** Issue such certificates of completion of apprenticeship as shall be authorized by the council to apprentices who have been certified by a joint apprenticeship committee or employer as satisfactorily completing their training.

**IV. Records.** Keep a record of apprenticeship programs and apprentice agreements.

**V. Cooperate with others.** Cooperate with the State Department of Education and the local school authorities in the organization and establishment of classes of related and supplemental instruction for apprentices employed under approved agreements.

**VI. Rules and regulations.** Issue such rules and regulations as may be necessary to carry out the intent and purpose of ~~said~~ sections 148 to 154.

**VII. Reports.** Make ~~an annual~~ a report to the Governor of its activities and the results thereof, which report shall be ~~published and made available to the public~~ **incorporated in the biennial report of the Commissioner of Labor and Industry.**

Meetings of the council shall be held quarterly and as often as is necessary in the opinion of the majority of the council. The chairman shall designate the time and place of the meetings and the secretary shall notify all council members at least one week in advance of each meeting. A majority of the membership of the council shall constitute a quorum, provided that each group has at least one representative present.'

**Sec. 3. R. S., c. 30, § 151, amended.** Section 151 of chapter 30 of the Revised Statutes is amended to read as follows:

**'Sec. 151. Standards for apprenticeship agreements.** Standards for apprenticeship agreements ~~are as follows~~ shall contain the following:

**I. Trade or craft taught.** A statement of the trade or craft to be taught and the required hours for completion of apprenticeship which shall be not less than 4,000 hours of reasonably continuous employment;

**II. Processes.** A statement of the **major work** processes in the trade or craft ~~divisions~~ in which the apprentice is to be taught and the approximate amount of time to be spent at each process;

**III. Hours.** ~~A statement of the number of hours to be spent by the apprentice in work and a~~ A statement of educational subjects to be studied and mastered. Where formal classroom instruction can be established by the State Department of Education a statement that such classes shall operate at least 144 hours per year;

**IV. Age.** A statement that the apprentices shall be not less than 16 years of age;

**V. Wages.** A statement of the progressively increasing scale of wages to be paid the apprentice;

**VI. Probation.** Provision for a period of probation during which the Apprenticeship Council shall be directed to terminate the apprenticeship agreement at the request in writing of any party thereto. After the probationary period, the Apprenticeship Council shall be empowered to terminate the registration of an apprentice upon agreement of the parties;

**VII. Services of Apprenticeship Council.** Provision that the services of the Apprenticeship Council may be utilized for consultation regarding the settlement of differences arising out of the apprenticeship agreement, where such differences cannot be adjudged locally or in accordance with the established trade procedure;

**VIII. Transfer of obligation of employer.** Provision that if an employer is unable to fulfill his obligation under the apprenticeship agreement he may transfer such obligation to another employer;

**VIII-A. No discrimination.** Provision that there will be no discrimination in employment of apprentices under the program because of sex, race, creed or color;

**IX. Additional standards.** Such additional standards as may be prescribed in accordance with ~~the provisions of~~ sections 148 to 154.'