

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
FIRST REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 671**

H. P. 540

House of Representatives, February 21, 1979

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

EDWIN H. PERT, Clerk

Presented by Mrs. Kany of Waterville.

Cosponsors: Mr. Jacques of Waterville, Mr. Rolde of York and Mr. Birt of East Millinocket.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

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**AN ACT Creating a Division of Industrial Training.**

**Emergency preamble.** Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the State of Maine has been and is currently deficient in quality, well-paying jobs, as evidenced by the low per capita income of its citizens; and

Whereas, an aggressive industrial development effort, equipped with a variety of incentives to induce industry to expand in or locate in Maine, can be instrumental in creating needed jobs; and

Whereas, the availability of short-term, job specific industrial training can be an effective incentive to be used by industrial development groups; and

Whereas, existing programs and institutions do not have the flexibility to offer a complete industrial training program for the start up of industrial plants; and

Whereas, there are a number of financial, physical and personnel resources available through a variety of local, state and federal agencies which can be coordinated to deliver industrial training; and

Whereas, the coordination of available resources can best be conducted at the state level to insure uniform delivery of state commitments to industry; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 20 MRSA, c. 310 is enacted to read:

## CHAPTER 310

### DIVISION OF INDUSTRIAL TRAINING

#### § 2421. Purpose

The Legislature encourages the creation of new jobs and training to industries intending to expand in or locate in Maine, by establishing the Division of Industrial Training within the Department of Educational and Cultural Services, Bureau of Vocational Education. There shall be a director of the Division of Industrial Training who shall report to the Associate Commissioner of the Bureau of Vocational Education.

#### § 2422. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms shall have the following meanings.

1. **Industrial training.** “Industrial training” means job specific, narrowly defined instruction designed to train an individual to perform in a job situation at levels of accuracy and speed prescribed by an employer.

2. **Training program.** “Training program” means a series of instructional components which may include, but are not limited to, institutional and on-the-job training.

#### § 2423. Powers and duties

The Director of the Division of Industrial Training shall have the following powers and duties:

1. **Agreements.** To develop and present for approval to the Commissioner of Educational and Cultural Services or his designee agreements between employers and the State for the establishment of a training program;

2. **Funds.** To administer any funds received and authorize the expenditure of funds to carry out the purposes of this chapter;

3. **Promotion.** To prepare, as requested by industrial development agencies, promotional materials describing the availability and characteristics of industrial training programs;

4. **Rules and regulations.** To adopt rules necessary for the purposes of this chapter;

5. **Report.** To make a report quarterly to the Associate Commissioner of the Bureau of Vocational Education, describing the activities of the Division of Industrial Training; and

6. **Receive funds.** To accept grants of money, materials, services or property from federal agencies, private agencies, corporations or individuals upon such terms and conditions as the federal agency, private agency, corporation or individual may impose.

§ 2424. **Coordination with other agencies**

1. **Maine State Employment and Training Council and its successor agencies.** The Director of the Division of Industrial Training shall, upon completion of the development of a proposed training program and before expending any funds or other resources to implement the program, convey to the chairman of the Maine State Employment and Training Council (SETC) or its successor organizations an outline of the training program. The Maine State Employment and Training Council shall acknowledge receipt of the training program outline and advise the director of the availability of state, federal and other resources which may be used to facilitate the operation or funding of the training program.

2. **Department of Manpower Affairs.** The Director of the Division of Industrial Training shall, upon completion of the development of the training program, convey to the Commissioner of Manpower Affairs an outline of the training program. The director shall cooperate with any Maine Employment Security Commission officer or employee designated by an employer to assist with recruitment, screening and referral of applicants for training or employment.

§ 2425. **Establishment of training programs**

Training programs shall be established by the Director of the Division of Industrial Training and shall incorporate to the extent practicable all financial, physical and personnel resources available to the State, including the Bureau of Vocational Education, vocational educational institutions and federal grant programs. This incorporation shall be designed to maximize the use of existing resources but shall not preclude the development of training activities necessary to achieve the goal of providing training designed to meet an employer's specific requirements.

§ 2426. **Considerations and priorities**

The Director of the Division of Industrial Training shall determine whether to provide industrial training to an industry or employer, after consultation with the Director of the State Development Office regarding the following:

1. **Number of resident employees.** The number of resident employees likely to be affected, favoring assistance to applicants where the assistance will have the greatest impact or by providing training to future employees of the applicant;

2. **Wage rate.** The prevailing wage rates in the industry and the wage rates likely to be paid by an employer. The director shall favor, where appropriate, industries and employers likely to pay higher wages rather than lower wages;

3. **Financial commitment.** The financial commitment of the applicant;

4. **Growth potential.** The growth potential of the industry and the applicant favoring where appropriate those with a stable, upward potential; and

5. **Prevailing economic conditions.** The prevailing economic conditions in the area in which the industry is or will be located.

**Sec. 2.** 26 MRSA c. 13, sub-c. IX, as enacted by PL 1975, c. 602, § 1, is repealed.

**Sec. 3. Transitional provision.** All unobligated and unexpended fund balances appropriated to the Maine Vocational Development Commission shall be transferred to the Division of Industrial Training created by this chapter to be used for purposes authorized by this chapter.

**Sec. 4. Appropriation.** The following funds shall be appropriated from the General Fund to carry out the purposes of this Act.

1979-80                      1980-81

EDUCATIONAL AND CULTURAL SERVICES,  
DEPARTMENT OF

Bureau of Vocational Education

Division of Industrial Training

Positions	(1)	(1)
Personal Services	\$ 27,600	\$ 27,600
All Other	472,400	472,400
Total	\$500,000	\$500,000

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

This bill abolishes the Maine Vocational Development Commission; transfers its fund balances of about \$22,000 to a new organization and creates a new Division of Industrial Training within the Department of Educational and Cultural Services, Bureau of Vocational Education.

The primary purpose of the division will be to put together training "packages" specifically designed to meet the needs of individual employers or who are planning to expand in or locate in Maine. The division is given authority to

negotiate training agreements with these employers and to conduct job-specific training programs alone or in cooperation with other agencies. In deciding which employers and industries to assist, the director is required to give priority to higher wage industries and employers and to situations affecting large numbers of resident employees and to take account of an industry's and an employer's financial commitment and growth potential and an area's prevailing economic conditions.