

# MAINE STATE LEGISLATURE

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New Draft of H. P. 540, L. D. 671  
FIRST REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 1665**

H. P. 1478

House of Representatives, June 4, 1979

Reported by the Minority from the Committee on Education and printed under  
Joint Rules No. 2.

EDWIN H. PERT, Clerk

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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.**

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

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 in industrial intending to expand in or locate in Maine and the improvement of skills of existing resident employees, by establishing the Division of Industrial Training within the Bureau of Vocational Education in the Department of Educational and Cultural Services. 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 and may include apprenticeship programs.

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 and apprenticeship programs.

§ 2423. **Powers and duties**

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

1. **Program guidelines.** To develop program policy and guidelines annually, with the advice of the Director of the State Development Office, the Director of the State Planning Office and the Commissioner of Manpower Affairs and subject to the approval of the Associate Commissioner of the Bureau of Vocational Education and the Commissioner of Educational and Cultural Services;

2. **Agreements.** With the advice of the Director of the State Development Office, 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;

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

4. **Promotion.** In cooperation with the Director of the State Development Office, to prepare, as requested by industrial development agencies, promotional materials describing the availability and characteristics of industrial training programs;

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

6. **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

7. **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 the Department of Manpower Affairs**

The Director of the Division of Industrial Training shall, upon completion of the development of any training program, convey to the Commissioner of Manpower Affairs an outline of the training program. The director shall cooperate with the Commissioner of Manpower Affairs or his designee in assisting 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. The director shall not establish any program of training for job skills when a significant number of Maine residents possessing those skills is unemployed.

§ 2426. Considerations and priorities

The Governor, or his designee, shall determine whether to provide industrial training to an industry or employer with the advice of the Director of the State Development Office and after consulting with the director 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, whether by raising the skills of existing resident employees 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 growth potential;
5. Prevailing economic conditions. The prevailing economic conditions in the area in which the industry is or will be located. The conditions shall include the unemployment rate and the number of unemployed or underemployed persons and the diversity of existing industries. The importance of small employers in rural areas in many of Maine's traditional and expanding industries will be duly considered;
6. Expansion of existing industry. Assistance to existing industry with an emphasis on expansions that might not otherwise be accomplished; and
7. Commitment to remain in Maine. A commitment by the industry to remain in Maine for a substantial period of time.

STATEMENT OF FACT

The purpose of this new draft is to:

1. Establish a Division of Industrial Training in the Department of Educational and Cultural Services;

2. Authorize the director of the division to develop annual program policies and guidelines and to present agreements for establishing training programs to the Commissioner of Educational and Cultural Services;
3. Require the director to cooperate with the Department of Manpower Affairs in the establishment of training programs;
4. Authorize the director to establish training programs; and
5. Provide that the Governor will determine whether an industry or an employer will be eligible for a training program on the basis of criteria set out in the law.