

# MAINE STATE LEGISLATURE

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LABOR

Reported by: Senator Handy of Androscoggin

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STATE OF MAINE  
SENATE  
116TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 681, L.D. 1861, Bill, "An Act Concerning Registered Apprenticeship Programs"

Amend the bill in Part A by striking out all of sections 1 to 4 and inserting in their place the following:

'Sec. A-1. 26 MRSA §2172-A is enacted to read:

§2172-A. Apprenticeships

1. Notification to training applicants. The Department of Labor shall explain to each person seeking to enroll in a Maine Job Training System program the general nature of registered apprenticeship programs, that a registered apprenticeship program is one of the job training options available under the Maine Job Training System and ascertain that person's interest in such a program.

2. Referral. When an individual's employability development plan has been developed, the Department of Labor shall:

A. Determine whether the individual's employment goal includes an apprenticeable occupation by reference to a list of apprenticeable occupations provided by the State Apprenticeship and Training Council;

B. If the occupation appears on the list of apprenticeable occupations, contact the State Apprenticeship and Training Council for assistance in establishing a registered apprenticeship program as part of or following Maine Job Training System training;

**COMMITTEE AMENDMENT**

2           C. Ensure that the State Apprenticeship and Training  
4           Council provides to the Commissioner of Labor a semiannual  
6           and annual list of the number of Maine Job Training System  
          referrals received and the number of registered  
          apprenticeship positions established from these referrals;  
          and

8           D. If a registered apprenticeship program is developed  
10           under this subsection, provide the trainee with information  
12           on educational and training opportunities that may be of  
          assistance for indenturing in the registered apprenticeship  
          program.

14           Further amend the bill in Part B in section 1 in subsection  
16           17-A in the next to the last line (page 3, line 22 in L.D.) by  
          striking out the following: "Maine" and inserting in its place  
18           the following: 'State'

20           Further amend the bill in Part B in section 5 in subsection  
22           2 in the 2nd line (page 4, line 8 in L.D.) by striking out the  
          following: "which" and inserting in its place the following:  
          'which that'

24           Further amend the bill in Part B by striking out all of  
26           section 7 and inserting in its place the following:

28           'Sec. B-7. 26 MRSA §1002, first ¶, as amended by PL 1991, c.  
30           716, §2, is further amended to read:

32           The State Apprenticeship and Training Council, as  
          established by Title 5, section 12004-G, subsection 25, ~~shall be~~  
34           ~~is~~ composed of 12 members ~~to be~~ appointed by the Governor and  
          made up as follows: ~~4-~~ four members shall must be  
36           representatives of employees and shall be bona fide members of a  
          recognized major labor organization; 4 members shall must be  
38           representatives of employers and shall be bona fide employers or  
          authorized representatives of bona fide employers; 2 members  
40           shall must be representatives of the public, selected from  
          neither industrial employers nor employees, nor shall may they be  
42           directly concerned with any particular industrial employer or  
          employee; and 2 members who shall represent the interests of  
44           women, minorities and aid to families with dependent children  
          recipients in registered apprenticeship. The appointments shall  
46           must be made so that the term of one member of each group shall  
          ~~expire expires~~ each year. Each member shall ~~held~~ holds office  
48           until a successor is appointed and qualified, and any vacancy  
          shall must be filled by appointment for the unexpired portion of  
50           the term. The chair and secretary of the council shall must be  
          named by the members of the council and the chair shall must be a

2 member of the council. ~~The Associate-Commissioner-of-Applied~~  
3 ~~Technology-and-Adult-Learning,--the-Director--of--the--Bureau--of~~  
4 ~~Labor-Standards,--the-Commissioner-of-Labor-and-the-director-of~~  
5 ~~apprenticeship-training-of-the-Maine-Technical-College-System~~  
6 ~~shall-be-ex-officio-members-of-the-council-without-vote. The~~  
7 Director of the Division of Applied Technology Administration  
8 within the Department of Education, the Director of Workforce  
9 Development, the Commissioner of Labor and the Director of  
10 Apprenticeship Training for the Maine Technical College System  
11 are nonvoting ex officio members of the council. The members of  
12 the council shall--be--compensated are entitled to receive  
13 compensation according to the provisions of Title 5, chapter 379.'

14 Further amend the bill in Part B in section 11 in paragraph  
15 C in the 2nd line (page 5, line 38 in L.D.) by striking out the  
16 following: "shall" and inserting in its place the following:  
17 'shall must'

18 Further amend the bill in Part B in section 11 in paragraph  
19 C in the 10th line (page 5, line 46 in L.D.) by striking out the  
20 following: "shall" and inserting in its place the following:  
21 'shall must'

22 Further amend the bill in Part B in section 11 in paragraph  
23 C in the 4th line from the end (page 5, line 50 in L.D.) by  
24 striking out the following: "shall" and inserting in its place  
25 the following: 'shall must'

26 Further amend the bill in Part B by inserting after section  
27 24 the following:

28 **'Sec. B-25. Use of the term "apprenticeship."** A committee  
29 composed of 3 members representing and appointed by the State  
30 Apprenticeship and Training Council and 3 members representing  
31 the Maine Youth Apprenticeship Program appointed by the President  
32 of the Maine Technical College System is established to consider  
33 the need for developing standards for the use of the term  
34 "apprenticeship" in describing training and education programs in  
35 the State. The committee shall report its recommendations and  
36 any necessary legislation to the joint standing committee of the  
37 Legislature having jurisdiction over labor matters by December 1,  
38 1994.'

39 Further amend the bill by inserting at the end before the  
40 statement of fact the following:

41 **'FISCAL NOTE**

42 The Department of Labor will incur some minor additional  
43 costs to implement certain requirements regarding the Maine Job  
44

2 Training System. These costs can be absorbed within the  
department's existing budgeted resources.

4 The Maine Technical College System and the Department of  
6 Labor will incur some minor additional costs to conduct a certain  
study pertaining to the use of the term apprenticeship. These  
8 costs can be absorbed within the system's and the department's  
existing budgeted resources.'

10

12

### STATEMENT OF FACT

14

This amendment removes the sections of the bill that affect  
16 the Maine Youth Apprenticeship Program and the distribution of  
funds under the State's Job Training Partnership Act program.  
18 The amendment also removes unnecessary language concerning the  
Maine Job Training System and updates the job titles of certain  
ex officio members of the State Apprenticeship and Training  
20 Council. The amendment establishes a committee of  
representatives of both the Maine Youth Apprenticeship Program  
22 and the State Apprenticeship and Training Council to consider the  
need for developing standards regarding the use of the term  
24 apprenticeship and directs the committee to report to the joint  
standing committee of the Legislature having jurisdiction over  
26 labor matters by December 1, 1994. The amendment also adds a  
fiscal note to the bill and conforms existing law to current  
28 drafting standards.