

# HOUSE BILL 1606

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By: **Delegate Sydnor**

Introduced and read first time: February 9, 2018

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Workforce Shortage Vocational Certificate Grant Program –**  
3 **Established**

4 FOR the purpose of establishing the Workforce Shortage Vocational Certificate Grant  
5 Program; requiring the Maryland Higher Education Commission to administer the  
6 Program; providing for the purpose of the Program; establishing requirements of a  
7 certain recipient under the Program; requiring the Commission to periodically  
8 designate certain vocational workforce shortage fields as eligible under the Program  
9 and to remove certain fields under certain circumstances; establishing a Workgroup  
10 on Vocational Workforce Shortage within the Advisory Council on Workforce  
11 Shortage; requiring the Workgroup to carry out certain duties; providing for the  
12 membership of the Workgroup; requiring the Commission to determine the number  
13 of grants to award each fiscal year based on certain criteria; requiring the Office of  
14 Student Financial Assistance in the Commission to annually select certain recipients  
15 based on certain criteria; authorizing grants to be used for a certain purpose subject  
16 to a certain limitation; requiring a certain service obligation; authorizing the  
17 Commission to establish an alternative service obligation; requiring a grant recipient  
18 to repay the Commission in accordance with a certain provision of law under certain  
19 circumstances; authorizing the Office to waive a certain repayment requirement;  
20 requiring the Office to defer a service obligation under certain circumstances;  
21 establishing the Workforce Shortage Vocational Certificate Fund as a special,  
22 nonlapsing fund; specifying the purpose of the Fund; requiring the Commission to  
23 administer the Fund; requiring the State Treasurer to hold the Fund and the  
24 Comptroller to account for the Fund; specifying the contents of the Fund; specifying  
25 the purpose for which the Fund may be used; providing for the investment of money  
26 in and expenditures from the Fund; requiring the Commission to submit a certain  
27 annual report regarding the Fund; providing that funds for the Program are as  
28 provided in a certain budget; requiring the Commission to adopt certain guidelines  
29 or regulations; defining certain terms; and generally relating to the Workforce  
30 Shortage Vocational Certificate Grant Program.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to  
2 Article – Education  
3 Section 18–709  
4 Annotated Code of Maryland  
5 (2014 Replacement Volume and 2017 Supplement)

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

8 **Article – Education**

9 **18–709.**

10 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
11 INDICATED.

12 (2) “ELIGIBLE INSTITUTION” MEANS A PUBLIC OR PRIVATE  
13 NONPROFIT INSTITUTION OF HIGHER EDUCATION IN THE STATE THAT POSSESSES A  
14 CERTIFICATE OF APPROVAL FROM THE COMMISSION.

15 (3) “FUND” MEANS THE WORKFORCE SHORTAGE VOCATIONAL  
16 CERTIFICATE FUND.

17 (4) “PROGRAM” MEANS THE WORKFORCE SHORTAGE VOCATIONAL  
18 CERTIFICATE GRANT PROGRAM.

19 (5) “PUBLIC GOOD OR BENEFIT” MEANS SERVICE TO LOW-INCOME OR  
20 UNDERSERVED RESIDENTS OR AREAS OF THE STATE IN AN OCCUPATION IN THE  
21 PUBLIC SECTOR OR IN AN ORGANIZATION, AN INSTITUTION, AN ASSOCIATION, A  
22 SOCIETY, A PARTNERSHIP, OR A CORPORATION THAT IS EXEMPT FROM TAXATION  
23 UNDER § 503(C)(3) OR (4) OF THE INTERNAL REVENUE CODE.

24 (6) “VOCATIONAL CERTIFICATE” MEANS A CERTIFICATE OR LICENSE  
25 AWARDED BY AN ELIGIBLE INSTITUTION ON COMPLETION OF A COURSE OF STUDY  
26 THAT PREPARES AN INDIVIDUAL TO WORK IN A CAREER FIELD.

27 (7) “WORKGROUP” MEANS THE WORKGROUP ON VOCATIONAL  
28 WORKFORCE SHORTAGE ESTABLISHED UNDER THIS SECTION.

29 (B) (1) THERE IS A WORKFORCE SHORTAGE VOCATIONAL CERTIFICATE  
30 GRANT PROGRAM FOR STUDENTS WHO PLEDGE TO WORK IN FIELDS OF CRITICAL  
31 SHORTAGE IN THE STATE ON RECEIPT OF A VOCATIONAL CERTIFICATE.

32 (2) THE COMMISSION SHALL ADMINISTER THE PROGRAM.

1           **(C) THE PURPOSE OF THE PROGRAM IS TO:**

2                   **(1) PROVIDE FINANCIAL ASSISTANCE TO STUDENTS ENROLLED IN**  
3 **VOCATIONAL CERTIFICATE PROGRAMS AT ELIGIBLE INSTITUTIONS; AND**

4                   **(2) ADDRESS VOCATIONAL WORKFORCE SHORTAGE NEEDS OF THE**  
5 **STATE.**

6           **(D) A RECIPIENT OF A GRANT UNDER THE PROGRAM SHALL:**

7                   **(1) BE SELECTED BY THE OFFICE FROM QUALIFIED APPLICANTS;**

8                   **(2) SIGN A LETTER OF INTENT TO ENROLL IN A VOCATIONAL**  
9 **CERTIFICATE PROGRAM AT AN ELIGIBLE INSTITUTION AS SPECIFIED FOR EACH**  
10 **FIELD IN WHICH THERE IS A CRITICAL SHORTAGE IN THE STATE;**

11                   **(3) SIGN A LETTER OF INTENT TO PERFORM THE SERVICE**  
12 **OBLIGATION ON COMPLETION OF THE VOCATIONAL CERTIFICATE PROGRAM;**

13                   **(4) ACCEPT ANY OTHER CONDITIONS THE COMMISSION MAY**  
14 **ESTABLISH; AND**

15                   **(5) AFTER EARNING A VOCATIONAL CERTIFICATE, PERFORM THE**  
16 **SERVICE OBLIGATION AS SPECIFIED FOR EACH FIELD IN WHICH THERE IS A**  
17 **CRITICAL SHORTAGE.**

18           **(E) (1) FROM THE RECOMMENDATIONS SUBMITTED UNDER PARAGRAPH**  
19 **(3) OF THIS SUBSECTION, THE COMMISSION SHALL, ONCE EVERY 2 YEARS:**

20                   **(I) DESIGNATE VOCATIONAL WORKFORCE SHORTAGE FIELDS**  
21 **ELIGIBLE UNDER THE PROGRAM; AND**

22                   **(II) REMOVE FROM ELIGIBILITY UNDER THE PROGRAM ANY**  
23 **FIELD THAT THE COMMISSION DETERMINES NO LONGER QUALIFIES AS A**  
24 **VOCATIONAL WORKFORCE SHORTAGE FIELD.**

25                   **(2) THERE IS A WORKGROUP ON VOCATIONAL WORKFORCE**  
26 **SHORTAGE WITHIN THE ADVISORY COUNCIL ON WORKFORCE SHORTAGE**  
27 **ESTABLISHED UNDER § 18-708 OF THIS SUBTITLE.**

28                   **(3) THE WORKGROUP SHALL:**

1 (I) IDENTIFY VOCATIONAL WORKFORCE SHORTAGES IN THE  
2 STATE; AND

3 (II) RECOMMEND TO THE COMMISSION:

4 1. PRIORITY VOCATIONAL WORKFORCE SHORTAGE  
5 FIELDS TO BE INCLUDED IN THE PROGRAM; AND

6 2. THE REMOVAL OF FIELDS THAT IN THE  
7 WORKGROUP'S JUDGMENT NO LONGER QUALIFY AS VOCATIONAL WORKFORCE  
8 SHORTAGE FIELDS.

9 (4) IN MAKING RECOMMENDATIONS TO THE COMMISSION, THE  
10 WORKGROUP SHALL CONSIDER WHETHER A VOCATIONAL WORKFORCE SHORTAGE  
11 FIELD PROVIDES A PUBLIC GOOD OR BENEFIT TO THE CITIZENS OF MARYLAND.

12 (5) THE WORKGROUP SHALL INCLUDE THE FOLLOWING MEMBERS OF  
13 THE ADVISORY COUNCIL ON WORKFORCE SHORTAGE:

14 (I) THE SECRETARY OF HIGHER EDUCATION OR THE  
15 SECRETARY'S DESIGNEE;

16 (II) THE SECRETARY OF LABOR, LICENSING, AND REGULATION  
17 OR THE SECRETARY'S DESIGNEE;

18 (III) ONE REPRESENTATIVE FROM THE GOVERNOR'S  
19 WORKFORCE DEVELOPMENT BOARD, APPOINTED BY THE GOVERNOR;

20 (IV) THE SECRETARY OF COMMERCE OR THE SECRETARY'S  
21 DESIGNEE;

22 (V) ONE REPRESENTATIVE OF THE SENATE OF MARYLAND,  
23 APPOINTED BY THE PRESIDENT OF THE SENATE;

24 (VI) ONE REPRESENTATIVE OF THE MARYLAND HOUSE OF  
25 DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE; AND

26 (VII) REPRESENTATIVES NOMINATED BY THE FOLLOWING  
27 ORGANIZATIONS AND APPOINTED BY THE SECRETARY OF HIGHER EDUCATION:

28 1. ONE REPRESENTATIVE FROM THE MARYLAND  
29 CHAMBER OF COMMERCE;

1                                   2.     ONE REPRESENTATIVE FROM THE WASHINGTON  
2 BOARD OF TRADE;

3                                   3.     ONE REPRESENTATIVE FROM THE GREATER  
4 BALTIMORE COMMITTEE; AND

5                                   4.     TWO REPRESENTATIVES FROM THE MARYLAND  
6 ASSOCIATION OF COMMUNITY COLLEGES.

7           (F)   EACH FISCAL YEAR THE COMMISSION SHALL DETERMINE THE NUMBER  
8 OF GRANTS TO BE AWARDED IN ELIGIBLE VOCATIONAL WORKFORCE SHORTAGE  
9 FIELDS BASED ON:

10                   (1)   THE PRIORITY OF THE VOCATIONAL WORKFORCE SHORTAGE  
11 FIELD;

12                   (2)   THE SEVERITY OF THE VOCATIONAL WORKFORCE SHORTAGE IN  
13 THE FIELD; AND

14                   (3)   THE AVAILABILITY OF FUNDS.

15           (G)   (1)   THE OFFICE SHALL ANNUALLY SELECT ELIGIBLE STUDENTS AND  
16 OFFER A GRANT TO EACH STUDENT SELECTED TO BE USED AT AN ELIGIBLE  
17 INSTITUTION OF THE STUDENT'S CHOICE.

18                   (2)   ELIGIBLE STUDENTS SHALL BE SELECTED BASED ON FINANCIAL  
19 NEED AS DETERMINED BY CRITERIA ESTABLISHED AND APPROVED BY THE  
20 COMMISSION.

21           (H)   THE GRANT AWARD MAY BE USED AT ANY ELIGIBLE INSTITUTION FOR  
22 EDUCATIONAL EXPENSES AS DEFINED BY THE COMMISSION, INCLUDING TUITION,  
23 MANDATORY FEES, AND ROOM AND BOARD.

24                   (1)   (1)   A GRANT RECIPIENT SHALL PERFORM A SERVICE OBLIGATION IN  
25 THE RECIPIENT'S FIELD OF CRITICAL SHORTAGE FOR A TIME THAT THE  
26 COMMISSION DETERMINES.

27                   (2)   THE COMMISSION MAY ESTABLISH ALTERNATIVE SERVICE  
28 OBLIGATION REQUIREMENTS FOR DESIGNATED VOCATIONAL WORKFORCE  
29 SHORTAGE FIELDS TO ADDRESS STATEWIDE AND REGIONAL NEEDS.

30           (J)   (1)   A GRANT RECIPIENT SHALL REPAY THE COMMISSION THE FUNDS  
31 RECEIVED IN ACCORDANCE WITH § 18-112(A) OF THIS TITLE IF THE RECIPIENT

1 DOES NOT:

2 (I) COMPLETE THE VOCATIONAL CERTIFICATE PROGRAM; OR

3 (II) PERFORM THE SERVICE OBLIGATION REQUIRED UNDER  
4 SUBSECTION (I) OF THIS SECTION.

5 (2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,  
6 REPAYMENT SHALL BE MADE TO THE STATE WITHIN 6 YEARS AFTER THE  
7 REPAYMENT PERIOD BEGINS AND SHALL FOLLOW A REPAYMENT SCHEDULE  
8 ESTABLISHED BY THE OFFICE.

9 (3) THE OFFICE MAY WAIVE OR DEFER REPAYMENT IN THE EVENT OF  
10 DISABILITY OR EXTENDED SICKNESS THAT PREVENTS THE RECIPIENT FROM  
11 FULFILLING THE SERVICE OBLIGATION REQUIRED UNDER THIS SECTION.

12 (4) THE OFFICE SHALL GRANT A DEFERMENT FROM THE SERVICE  
13 OBLIGATION REQUIRED UNDER THIS SECTION TO:

14 (I) AN INDIVIDUAL WHO HAS BEEN ASSIGNED MILITARY DUTY  
15 OUTSIDE THE STATE; OR

16 (II) AN INDIVIDUAL WHOSE SPOUSE HAS BEEN ASSIGNED  
17 MILITARY DUTY OUTSIDE THE STATE.

18 (K) A RECIPIENT MAY HOLD A GRANT AND ANY OTHER STATE GRANT OR  
19 SCHOLARSHIP AWARDED BY THE OFFICE PROVIDED THAT THE TOTAL OF ALL  
20 GRANTS AND SCHOLARSHIPS DOES NOT EXCEED THE STUDENT'S TOTAL COST OF  
21 ATTENDANCE, INCLUDING FEES AND ROOM AND BOARD, AS CERTIFIED BY THE  
22 INSTITUTION WHERE THE STUDENT IS ENROLLED.

23 (L) (1) THERE IS A WORKFORCE SHORTAGE VOCATIONAL CERTIFICATE  
24 FUND IN THE COMMISSION.

25 (2) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS UNDER THE  
26 PROGRAM.

27 (3) THE COMMISSION SHALL ADMINISTER THE FUND.

28 (4) (I) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT  
29 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

30 (II) THE STATE TREASURER SHALL HOLD THE FUND

1 SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

2 (5) THE FUND CONSISTS OF:

3 (I) MONEY APPROPRIATED IN THE STATE BUDGET TO THE  
4 FUND; AND

5 (II) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED  
6 FOR THE BENEFIT OF THE FUND.

7 (6) THE FUND MAY BE USED ONLY FOR GRANTS PROVIDED UNDER  
8 THE PROGRAM.

9 (7) (I) THE STATE TREASURER SHALL INVEST THE MONEY OF THE  
10 FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

11 (II) ANY INTEREST EARNINGS OF THE FUND SHALL BE  
12 CREDITED TO THE GENERAL FUND OF THE STATE.

13 (8) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN  
14 ACCORDANCE WITH THE STATE BUDGET.

15 (9) (I) AT THE END OF EACH FISCAL YEAR, THE COMMISSION  
16 SHALL PREPARE AN ANNUAL REPORT ON THE FUND THAT INCLUDES AN  
17 ACCOUNTING OF ALL FINANCIAL RECEIPTS AND EXPENDITURES TO AND FROM THE  
18 FUND.

19 (II) THE COMMISSION SHALL SUBMIT A COPY OF THE REPORT  
20 TO THE GENERAL ASSEMBLY AS PROVIDED UNDER § 2-1246 OF THE STATE  
21 GOVERNMENT ARTICLE.

22 (M) FUNDS FOR THE PROGRAM SHALL BE AS PROVIDED IN THE ANNUAL  
23 BUDGET OF THE COMMISSION BY THE GOVERNOR.

24 (N) THE COMMISSION SHALL ADOPT GUIDELINES AND REGULATIONS  
25 NECESSARY TO IMPLEMENT THIS SECTION.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
27 1, 2018.