

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-THREE

—
H.P. 991 - L.D. 1539

An Act to Promote a Diverse, More Experienced Workforce and Ensure High-quality Careers by Increasing Registered Apprenticeship Programs

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

Sec. 1. 26 MRSA §3201, sub-§23-A is enacted to read:

23-A. Total package value. "Total package value" means the hourly sum of the following:

A. Wages;

B. The dollar value of employer-paid health insurance; and

C. The dollar value of employer-paid retirement contribution benefits, except those retirement contribution benefits that require the employee to match the employer-paid contributions for the employee to access the retirement fund offered by the employer.

Sec. 2. 26 MRSA §3203, sub-§1, ¶E, as enacted by PL 2011, c. 491, §13, is amended to read:

E. A schedule of progressively increasing wages to be paid to an apprentice consistent with the skill acquired. The entry wage may not be less than the minimum wage prescribed by the federal Fair Labor Standards Act of 1938 for student preapprentices and not less than \$10 per hour or 50% of the journeyman rate, whichever is highest, for adult registered apprentices, unless a higher wage is required by other applicable federal law or regulation or state law or rule or by collective bargaining agreement. For purposes of this paragraph, "journeyman rate" is the rate of pay established by the sponsor for an apprentice who has met all of the skill, knowledge and competency requirements for that occupation;

Sec. 3. 26 MRSA §3203, sub-§1, ¶T, as enacted by PL 2011, c. 491, §13, is amended to read:

T. The name, address, telephone number and e-mail address, if appropriate, for the appropriate individual with authority under the apprenticeship program to receive, process and make disposition of complaints; ~~and~~

Sec. 4. 26 MRSA §3203, sub-§1, ¶U, as enacted by PL 2011, c. 491, §13, is amended to read:

U. Provision for recording and maintenance of all records concerning apprenticeship as may be required by the Maine Apprenticeship Program and other applicable law;

Sec. 5. 26 MRSA §3203, sub-§1, ¶V is enacted to read:

V. The dollar value of employer-paid health insurance; and

Sec. 6. 26 MRSA §3203, sub-§1, ¶W is enacted to read:

W. The dollar value of employer-paid retirement contribution benefits, except those retirement contribution benefits that require the employee to match the employer-paid contributions for the employee to access the retirement fund offered by the employer.

Sec. 7. 26 MRSA §3204, sub-§2, as enacted by PL 2011, c. 491, §13, is amended to read:

2. Evaluation. The Maine Apprenticeship Program shall evaluate the performance of a registered apprenticeship program. The tools and factors to be used must include, but are not limited to:

- A. Quality assurance assessments;
- B. Equal employment opportunity compliance reviews; ~~and~~
- C. Completion rates. The cancellation of an apprenticeship agreement during the probationary period under section 3205, subsection 8 does not have an adverse impact on an apprenticeship program's completion rate; ~~and~~
- D. The total package value of a registered apprenticeship program.

Sec. 8. 26 MRSA §3204, sub-§5 is enacted to read:

5. Registered apprenticeship programs not in compliance. The department shall identify and act to remedy registered apprenticeship programs that are:

- A. Not in compliance with quality assurance assessments;
- B. Experiencing low rates of retention or completion; or
- C. Not providing an adequate total package value to apprentices completing an apprenticeship program as determined by the department.

The department shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 9. 26 MRSA §3204, sub-§6 is enacted to read:

6. Department to perform assessment annually. Beginning January 1, 2024, the department shall annually perform an assessment on the Maine Apprenticeship Program. The assessment must include, but is not limited to, the following:

- A. A summary of performance data collected from program sponsors;
- B. Best practices being used and areas for improvement, as determined by the department; and

C. Steps taken by the department to ensure continuous improvement on key performance metrics.

Sec. 10. 26 MRSA §3209, sub-§4, ¶J, as enacted by PL 2011, c. 491, §13, is amended to read:

J. Ensuring an annual report is provided by March 1st of each year to the Governor, the joint standing committee of the Legislature having jurisdiction over labor and economic development matters and the joint standing committee of the Legislature having jurisdiction over education and cultural affairs that includes the following:

- (1) The name and location of each sponsor;
- (2) The number of apprentices registered into and completing apprenticeship; ~~and~~
- (3) The return on investment;
- (4) Data on wages and benefits for apprentices enrolled in apprenticeship programs and for apprentices who complete an apprenticeship program;
- (5) Actions taken by the council to ensure apprenticeships are leading to well-paying jobs and careers; and
- (6) The assessment required under section 3204, subsection 6.

Sec. 11. 26 MRSA §3211, sub-§8 is enacted to read:

8. Monetary incentive program; historically underrepresented populations. To the extent that funding is available, the Maine Apprenticeship Council shall, in coordination with the department, establish a financial incentive program for registered apprenticeships to recruit historically underrepresented populations. No more than 50% of the funds granted under this program may be allocated to the registered apprenticeship sponsor, and the remaining 50% of the funds must be reserved for stipends for registered apprentices who meet the criteria established under this program.

Sec. 12. 26 MRSA §3211, sub-§9 is enacted to read:

9. Department, Maine Apprenticeship Council to establish criteria for funding registered apprenticeships. The Maine Apprenticeship Council shall, in coordination with the department, establish criteria for funding registered apprenticeship programs. The criteria must establish benchmarks and consider the total package value that a registered apprentice graduate earns upon transitioning to journeyman status.