

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 538 Session of
2003

INTRODUCED BY GORDNER, BARRAR, BEBKO-JONES, BELARDI, BELFANTI,
BROWNE, CAPPELLI, CIVERA, COSTA, DeWEESE, GEORGE, GODSHALL,
GRUCELA, HARHAI, HERMAN, HORSEY, JAMES, KIRKLAND, KOTIK,
LAUGHLIN, LEDERER, MANN, McCALL, MELIO, MYERS, PETRARCA,
READSHAW, REED, SAINATO, SAMUELSON, SATHER, SAYLOR, SEMMEL,
SHANER, SOLOBAY, STERN, E. Z. TAYLOR, J. TAYLOR, THOMAS,
TIGUE, WALKO, WASHINGTON, YOUNGBLOOD AND ZUG,
FEBRUARY 26, 2003

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 26, 2003

AN ACT

1 Amending the act of June 29, 1996 (P.L.434, No.67), entitled, as
2 amended, "An act to enhance job creation and economic
3 development by providing for an annual financing strategy,
4 for opportunity grants, for job creation tax credits, for
5 small business assistance, for the Small Business Advocacy
6 Council, for a family savings program, for industrial
7 development assistance, for community development bank grants
8 and loans and for tax-exempt bond allocation; conferring
9 powers and duties on various administrative agencies and
10 authorities; further providing for various funds; and making
11 repeals," establishing the Technology Work Experience
12 Internship Program.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. The act of June 29, 1996 (P.L.434, No.67), known
16 as the Job Enhancement Act, is amended by adding a chapter to
17 read:

CHAPTER 31

TECHNOLOGY WORK EXPERIENCE INTERNSHIP PROGRAM

20 Section 3101. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Agency." The Pennsylvania Higher Education Assistance Agency.

"Approved course of study." A program or curriculum offered by a postsecondary educational institution that provides instruction in science, technology and related fields and that has been approved by the Department of Education in consultation with the Pennsylvania Workforce Investment Board, as required under section 3 of the act of June 23, 1999 (P.L.159, No.22), known as the New Economy Technology Scholarship Act.

"Approved educational institution." A postsecondary educational institution located in this Commonwealth that is authorized to provide approved courses of study and grant degrees and that has been approved by the Pennsylvania Higher Education Assistance Agency as an institution in which students may enroll to participate in the New Economy Technology Scholarship Program.

"Department." The Department of Education of the Commonwealth.

"Emerging technology company." A company located in this Commonwealth that is involved in scientific research and product development, technology or a related field which is either less than six years from incorporation or employs fewer than 500 full-time employees.

"Pennsylvania Workforce Investment Board." A public and private partnership that provides strategic planning, program coordination and evaluation of Pennsylvania's work force training efforts.

1 "Program." The Technology Work Experience Internship Program
2 established under this chapter.

3 "Student." An individual domiciled in this Commonwealth who
4 attends an approved educational institution and who is enrolled
5 in an approved course of study.

6 "Work experience internship." A college-approved or
7 university-approved internship or work experience in a science,
8 technology or related field with an emerging technology employer
9 located in this Commonwealth for which the student receives
10 compensation.

11 Section 3102. Technology Work Experience Internship Program.

12 (a) Establishment of program.--The Technology Work
13 Experience Internship Program is hereby established within the
14 agency. This program shall be separate from, but may be operated
15 in conjunction with, the Federal and State work study programs.

16 (b) Matching funds.--The agency shall provide matching funds
17 to approved educational institutions to support internships for
18 students with emerging technology companies, to the extent that
19 an appropriation is enacted. The agency shall review and approve
20 applications from colleges and universities for participation in
21 the program and shall require that approved educational
22 institutions provide at least one-half of the moneys necessary
23 for the internships. Not more than 50% of the cost of each
24 internship shall be paid for by the agency.

25 (c) Approved courses.--The list of approved courses of study
26 for the program shall be the same as is currently required under
27 section 4(c) of the act of June 23, 1999 (P.L.159, No.22), known
28 as the New Economy Technology Scholarship Act.

29 (d) Emerging technology companies.--The department, in
30 cooperation with the Department of Community and Economic

Development and the Pennsylvania Workforce Investment Board,
shall establish and maintain a list of emerging technology
companies for the program.

(e) Standards.--The agency shall adopt standards for
approving technology work experience internship programs, which
standards shall include at a minimum that:

(1) The employer must be a Pennsylvania high-tech
business.

(2) The internship must provide career-related work
experience and use the student's classroom knowledge.

(3) The position must not displace any employee,
including any employee who is laid off or on strike.

(4) The student must be compensated at a rate at least
equal to the State minimum wage.

Section 3103. Powers and duties of agency.

The agency shall have the power and its duties shall be:

(1) To execute a participation agreement with each
approved educational institution participating in the
program.

(2) To establish such procedural, accounting and
auditing requirements as may be necessary.

(3) To review and audit all relevant records of the
participating institution and the participating employer to
ensure compliance with the provisions of this chapter.

(4) To adopt such rules, regulations, forms and
procedures as may be necessary to implement this chapter.

Section 3104. Responsibility of approved education institution.

Educational institutions participating in this program shall:

(1) Submit an application to the agency for approval to
participate in the program. The application shall identify

1 the high-tech employers or potential employers who will
2 sponsor an internship, the wages that interns shall be paid,
3 a description of the general nature of the work to be
4 performed and the screening process to be employed to
5 identify those students who will participate in the
6 internship program.

7 (2) Enter into a participation agreement with the
8 agency.

9 (3) Ensure that each participating high-tech business
10 understands the requirements of the program and provides each
11 hired intern career-related work experience that builds on
12 that student's classroom knowledge.

13 (4) Either through employer funds or institutional
14 funds, provide the funds required to match the State
15 contribution.

16 (5) Implement a process to screen and approve students
17 for participation in the program.

18 (6) Open relevant records and materials to the agency
19 for review.

20 (7) Have a process to monitor and evaluate each
21 internship experience.

22 (8) Adhere to any requirements or conditions that the
23 agency or the department, in consultation with the
24 Pennsylvania Workforce Investment Board and the Department of
25 Community and Economic Development, may adopt.

26 Section 3105. Emerging technology company employer
27 responsibility.

28 Each emerging technology company employer participating in
29 the program shall:

30 (1) Agree to provide each intern with career-related

1 work experience that will build on that student's classroom
2 knowledge.

3 (2) Agree not to use the intern to replace any employee,
4 including employees who may be laid off or on strike.

5 (3) Have the right to approve the selection of any
6 student placed in an internship with that company.

7 (4) Add each employee to the business payroll and return
8 all reconciliation materials by the dates required by the
9 agency to receive reimbursement for that State share of the
10 approved earnings.

11 (5) Adhere to any requirements, including such
12 accounting and auditing standards as the agency or the
13 department, in consultation with the Pennsylvania Workforce
14 Investment Board and the Department of Community and Economic
15 Development, may adopt.

16 Section 3106. Interns.

17 (a) Eligibility.--Undergraduate students enrolled in an
18 approved course of instruction at an approved educational
19 institution shall be eligible to participate in the program.
20 Priority for participation shall be based on financial need as
21 determined by the educational institution and the agency, but
22 participation shall not be limited to those students who qualify
23 for financial aid.

24 (b) Terms and conditions.--Each intern shall comply with any
25 conditions placed upon the internship by the agency, department
26 or approved educational institution. Each intern shall comply
27 with any applicable requirements established by the employer.
28 Interns may work no more than 20 hours a week while they are
29 enrolled on a full-time basis and may work not more than 40
30 hours a week during any break.

1 (c) Student aid.--Participation as an intern in the program
2 may qualify as a work-study appointment and may qualify as
3 student aid, subject to Federal and State requirements for such
4 appointments. However, the maximum compensation an intern may
5 receive through this program shall be subject to the limits
6 imposed in this chapter.

7 (d) Satisfaction of New Economy Technology Scholarship
8 Program requirements.--Participation as an intern in the program
9 may qualify as satisfactory evidence of completion of the
10 internship requirements as provided by section 5(c) of the act
11 of June 23, 1999 (P.L.159, No.22), known as the New Economy
12 Technology Scholarship Act, subject to the requirements of that
13 act.

14 Section 3107. Compensation.

15 The compensation shall be determined by the approved
16 educational institution, in cooperation with the emerging
17 technology company. Compensation shall be subject to any terms
18 or conditions established by the agency. Interns shall be paid
19 on an hourly basis and shall receive at least the minimum wage
20 established under Pennsylvania law. In no event shall the total
21 compensation that any student receives exceed \$7,000 in any 12-
22 month period.

23 Section 3108. Annual report.

24 The agency shall include the total number of students
25 participating in this program and any data relevant thereto,
26 within its annual report as currently required by section 9 of
27 the act of June 23, 1999 (P.L.159, No.22), known as the New
28 Economy Technology Scholarship Act.

29 Section 2. All references to the Pennsylvania Human
30 Resources Investment Council in the act of June 23, 1999

1 (P.L.159, No.22), known as the New Economy Technology
2 Scholarship Act, shall be deemed to be references to the
3 Pennsylvania Workforce Investment Board.

4 Section 3. This act shall take effect July 1, 2003.