

EMERGENCY BILL

By: The President (Department of Legislative Reference)

Introduced and read first time: January 17, 1997

Assigned to: Rules

Committee Report: Favorable

Senate action: Adopted

Read second time: January 30, 1997

CHAPTER _____

1 AN ACT concerning

2 **Supplemental Corrective Bill - Agency Designations**
3 **(Chapter 120 of the Acts of 1995)**

4 FOR the purpose of correcting erroneous references to the Department of Business and
5 Economic Development and the Secretary of Business and Economic Development
6 in certain statutory laws of this State; and making this Act an emergency measure.

7 BY repealing and reenacting, with amendments,
8 Article 27 - Crimes and Punishments
9 Section 681E(3)
10 Annotated Code of Maryland
11 (1996 Replacement Volume)

12 BY repealing and reenacting, with amendments,
13 Article 49D - Office for Children, Youth, and Families
14 Section 23(a)(3)
15 Annotated Code of Maryland
16 (1994 Replacement Volume and 1996 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article 70B - Office on Aging
19 Section 4B(a)(6)
20 Annotated Code of Maryland
21 (1995 Replacement Volume and 1996 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article 83C - Juvenile Justice

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1 Section 2-113(5)
2 Annotated Code of Maryland
3 (1995 Replacement Volume and 1996 Supplement)

4 BY repealing and reenacting, with amendments,
5 Article - Courts and Judicial Proceedings
6 Section 7-201(a)
7 Annotated Code of Maryland
8 (1995 Replacement Volume and 1996 Supplement)

9 BY repealing and reenacting, with amendments,
10 Article - Education
11 Section 16-106(d)(3), 18-1802(a), 18-1803(b)(1) and (c)(1), 18-1804(a), (b)(1),
12 and (c), 18-1805, 18-1806(a), 18-1807(c)(1), 18-1808(a), (b)(1), and (c),
13 18-1809, and 21-305(c)(3)
14 Annotated Code of Maryland
15 (1997 Replacement Volume)

16 BY repealing and reenacting, with amendments,
17 Article - Environment
18 Section 7-406(j)(7) and 8-404(2)
19 Annotated Code of Maryland
20 (1996 Replacement Volume and 1996 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article - Labor and Employment
23 Section 7-102(a)(4)
24 Annotated Code of Maryland
25 (1991 Volume and 1996 Supplement)

26 BY repealing and reenacting, with amendments,
27 Article - State Finance and Procurement
28 Section 13-222(a)(1) and (b)(1)
29 Annotated Code of Maryland
30 (1995 Replacement Volume and 1996 Supplement)

31 BY repealing and reenacting, with amendments,
32 Article - State Government
33 Section 9-1107(b)(9), 10-203(a)(5), and 10-302(a)(3)
34 Annotated Code of Maryland
35 (1995 Replacement Volume and 1996 Supplement)

36 BY repealing and reenacting, with amendments,
37 Article - Tax - General
38 Section 10-702(a)(5)

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1 Annotated Code of Maryland
2 (1988 Volume and 1996 Supplement)

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

5 **Article 27 - Crimes and Punishments**

6 681E.

7 The Commissioner and General Manager shall develop programs of occupational
8 experiences to complement the manpower development plans of the State Department of
9 Education and other agencies serving the residents of Division of Correction institutions.
10 In this function, the Commissioner and General Manager shall consult with the following
11 individuals who shall be responsible to provide appropriate assistance:

12 (3) The Assistant Secretary, Division of Employment and Training,
13 Department of [Business and Economic Development] LABOR, LICENSING, AND
14 REGULATION;

15 **Article 49D - Office for Children, Youth, and Families**

16 23.

17 (a) The Council consists of the following 20 members appointed by the Governor:

18 (3) The Secretary of [Business and Economic Development] LABOR,
19 LICENSING, AND REGULATION;

20 **Article 70B - Office on Aging**

21 4B.

22 (a) The Interagency Committee on Aging Services consists of the following
23 members:

24 (6) The Secretary of [Business and Economic Development] LABOR,
25 LICENSING, AND REGULATION;

26 **Article 83C - Juvenile Justice**

27 2-113.

28 To carry out the objectives of this article, the following State units shall cooperate
29 fully with the Department:

30 (5) Department of [Business and Economic Development] LABOR,
31 LICENSING, AND REGULATION;

32 **Article - Courts and Judicial Proceedings**

33 7-201.

34 (a) Except for an appeal from the State Workers' Compensation Commission or
35 an appeal, by an individual claiming benefits, from a decision of the Board of Appeals of
36 the Department of [Business and Economic Development] LABOR, LICENSING, AND

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1 REGULATION, no case may be docketed and no writ of attachment, fieri facias, or
2 execution on judgment may be issued unless the plaintiff or appellant pays the required
3 fee.

4 **Article - Education**

5 16-106.

6 (d) (3) The Department of [Business and Economic Development] LABOR,
7 LICENSING, AND REGULATION shall coordinate funds for this Displaced Homemakers
8 Program according to the provisions of Title II of the federal Job Training Partnership
9 Act, with the funds to be provided by service delivery areas.

10 18-1802.

11 (a) The Department of [Business and Economic Development] LABOR,
12 LICENSING, AND REGULATION in collaboration with the State Superintendent of
13 Schools and the Secretary of Higher Education may establish a program of
14 school-to-work transition grants, to be known as the "Youth Apprenticeship Program".

15 18-1803.

16 (b) A grant recipient shall use the grant in an apprenticeship training program
17 that is:

18 (1) A registered apprenticeship program approved by the Apprenticeship
19 and Training Council within the Department of [Business and Economic Development]
20 LABOR, LICENSING, AND REGULATION;

21 (c) The Secretary of [Business and Economic Development] LABOR,
22 LICENSING, AND REGULATION may ensure that the youth apprenticeship programs
23 approved under this subtitle:

24 (1) Foster the expansion of structured, school-to-work transition programs
25 that link secondary school applied learning experiences with:

26 (i) Skilled, high wage, workplace jobs and professions; and

27 (ii) Postsecondary technical and occupational work experiences;

28 18-1804.

29 (a) The Department of [Business and Economic Development] LABOR,
30 LICENSING, AND REGULATION, after consultation with the Advisory Board and
31 interested potential grant recipients, may establish guidelines for the review and
32 evaluation of grant proposals and the selection of grant recipients.

33 (b) (1) During the month of January each year, the Department of [Business
34 and Economic Development] LABOR, LICENSING, AND REGULATION may issue a
35 request for proposals inviting interested persons to submit grant proposals for
36 participation in the program for the fiscal year that begins on July 1 of that year.

37 (c) (1) The Department of [Business and Economic Development] LABOR,
38 LICENSING, AND REGULATION may evaluate grant proposals on a competitive basis and

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1 shall approve only proposals that it determines are of high quality and likely to fulfill the
2 goals and objectives of the program.

3 (2) Following a review of all grant proposals received during the period
4 specified under subsection (b) of this section, the Secretary of [Business and Economic
5 Development] LABOR, LICENSING, AND REGULATION may announce the grant
6 recipients for the fiscal year that begins on July 1 of that year.

7 18-1805.

8 If a Youth Apprenticeship Program is established under the authority granted
9 under this subtitle, the Secretary of [Business and Economic Development] LABOR,
10 LICENSING, AND REGULATION may:

11 (1) Determine the amount that is needed to fund the grants awarded under
12 this subtitle; and

13 (2) Submit this information to the Department of Budget and Management
14 for inclusion in the annual budget.

15 18-1806.

16 (a) The Department of [Business and Economic Development] LABOR,
17 LICENSING, AND REGULATION may require that each grant recipient have a matching
18 requirement for the amount of the grant that is awarded to the recipient under this
19 subtitle.

20 18-1807.

21 (c) The grant recipient shall:

22 (1) Submit periodic reports to the Secretary of [Business and Economic
23 Development] LABOR, LICENSING, AND REGULATION summarizing its activities under
24 the program;

25 18-1808.

26 (a) The Department of [Business and Economic Development] LABOR,
27 LICENSING, AND REGULATION may establish a Youth Apprenticeship Program Advisory
28 Board.

29 (b) The Advisory Board shall include:

30 (1) The Secretary of [Business and Economic Development] LABOR,
31 LICENSING, AND REGULATION;

32 (c) The Advisory Board shall, from time to time, review the program and advise
33 the Secretary of [Business and Economic Development] LABOR, LICENSING, AND
34 REGULATION, the State Superintendent of Schools, and the Secretary of Higher
35 Education about matters regarding the program.

36 18-1809.

37 The Secretary of [Business and Economic Development] LABOR, LICENSING,
38 AND REGULATION, in collaboration with the State Superintendent of Schools and the

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1 Secretary of Higher Education, may adopt regulations to implement the provisions of this
2 subtitle.

3 21-305.

4 (c) The Plan involves the collaborative efforts of the following units of State
5 government:

6 (3) The Department of [Business and Economic Development] LABOR,
7 LICENSING, AND REGULATION; and

8 **Article - Environment**

9 7-406.

10 (j) On issuance of a certificate the Board shall file a copy of that certificate with
11 the Secretary to the Board and the Secretary of State. Copies of the certificate shall be
12 sent by the Secretary to the Board to:

13 (7) The Department of [Business and Economic Development] LABOR,
14 LICENSING, AND REGULATION; and

15 8-404.

16 The following State agencies shall assist the Secretary in evaluating any technology
17 or means for the permanent disposal of low-level nuclear waste:

18 (2) The Department of [Business and Economic Development] LABOR,
19 LICENSING, AND REGULATION.

20 **Article - Labor and Employment**

21 7-102.

22 (a) This title does not apply:

23 (4) to an agricultural operation when engaging a farm labor contractor
24 through the Department of [Business and Economic Development] LABOR, LICENSING,
25 AND REGULATION; or

26 **Article - State Finance and Procurement**

27 13-222.

28 (a) For a State procurement contract for \$10,000 or more, except as provided in
29 subsection (c) of this section, at the time a bid or proposal for any State procurement
30 contract is submitted, the bidder or offeror shall certify to the procurement officer that:

31 (1) the bidder or offeror has paid all taxes, unemployment insurance
32 contributions, reimbursement payments, and interest not barred by limitations and
33 payable to the Comptroller, the Department of Assessments and Taxation, or the
34 Department of [Business and Economic Development] LABOR, LICENSING, AND
35 REGULATION or has provided for payment in a manner satisfactory to the unit
36 responsible for collection; and

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1 (b) Before a unit awards any procurement contract for \$100,000 or more, the unit
2 shall verify through the Office of the Comptroller:

3 (1) that all taxes, unemployment insurance contributions, reimbursement
4 payments, and interest not barred by limitations and payable by the contractor to the
5 Comptroller, the Department of Assessments and Taxation, and the Secretary of
6 [Business and Economic Development] LABOR, LICENSING, AND REGULATION are
7 paid or that payment has been provided for in a manner satisfactory to the unit
8 responsible for collection; and

9 **Article - State Government**

10 9-1107.

11 (b) Of the 28 Council members:

12 (9) 1 shall be the Secretary or a designee from the Department of [Business
13 and Economic Development] LABOR, LICENSING, AND REGULATION;

14 10-203.

15 (a) This subtitle does not apply to:

16 (5) unemployment insurance claim determinations, tax determinations, and
17 appeals in the Department of [Business and Economic Development] LABOR,
18 LICENSING, AND REGULATION except as specifically provided in Subtitle 5 of Title 8 of
19 the Labor and Employment Article; or

20 10-302.

21 (a) This subtitle does not apply to:

22 (3) the Board of Appeals of the Department of [Business and Economic
23 Development] LABOR, LICENSING, AND REGULATION;

24 **Article - Tax - General**

25 10-702.

26 (a) (5) "Economically disadvantaged individual" means an individual who is
27 certified by provisions that the Department of [Business and Economic Development]
28 LABOR, LICENSING, AND REGULATION adopts as an individual who, before becoming
29 employed by a business entity in an enterprise zone:

30 (i) was both unemployed for at least 30 consecutive days and qualified
31 to participate in training activities for the economically disadvantaged under Title II, Part
32 B of the federal Job Training Partnership Act or its successor; or

33 (ii) in the absence of an applicable federal act, met the criteria for an
34 economically disadvantaged individual that the Secretary of [Business and Economic
35 Development] LABOR, LICENSING, AND REGULATION sets.

36 DRAFTER'S NOTE:

37 %The amendments to the Annotated Code contained in Section 1 of this Act

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1 correct erroneous agency designations that occurred as a result of Chapter
2 120, Section 19, Acts of 1995, as ratified by Chapter 10, Section 14, Acts of
3 1996.

4 SECTION 2. AND BE IT FURTHER ENACTED, That the publishers of the
5 Annotated Code of Maryland are directed to include the Drafter's Note in Section 1 of
6 this Act after each section of law amended in Section 1 of this Act.

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
8 measure, is necessary for the immediate preservation of the public health and safety, has
9 been passed by a yea and nay vote supported by three-fifths of all the members elected to
10 each of the two Houses of the General Assembly, and shall take effect from the date it is
11 enacted.