

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 686

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through “date;” in line 8; in line 10, after “Secretary” insert “of Human Resources”; in line 11, after the semicolon insert “establishing an exemption from the definition of a vehicle dealer for certain nonprofit entities, the Department of Human Resources, and the local departments of social services;”; and strike beginning with “requiring” in line 25 down through “projects;” in line 26 and substitute “requiring the Department, in consultation with the Department of Labor, Licensing, and Regulation, the Department of Business and Economic Development, the Department of Health and Mental Hygiene, the State Department of Education, and the Maryland Higher Education Commission, to redesign the Family Investment Program service delivery system; requiring the Department to implement the redesigned service delivery system in a certain jurisdiction by a certain date; providing a funding source for the redesigned system; requiring the Department of Human Resources to conduct a certain finger imaging study as a method of preventing fraudulent application for and receipt of certain benefits; requiring certain reports;”.

On page 2, strike in their entirety lines 1 through 5, inclusive; and in line 22, after “and (8)” insert “and 15-101(b)”.

AMENDMENT NO. 2

On page 4, strike lines 3 through 10 in their entirety and substitute:

“(E) AS OF JULY 1 OF EACH YEAR, THE DEPARTMENT SHALL MAKE AVAILABLE FOR REALLOCATION WITHIN ITS BUDGET ANY SAVINGS THE DEPARTMENT ANTICIPATES ACHIEVING FROM FUNDS APPROPRIATED TO IT FOR THE FIP DURING THE CURRENT FISCAL YEAR AS A RESULT OF:

(1) CASELOAD REDUCTIONS; OR

(Over)

(2) OTHER REDUCTIONS IN THE TOTAL AMOUNT OF TEMPORARY CASH ASSISTANCE PAID TO RECIPIENTS WHEN COMPARED TO THE TOTAL AMOUNT OF TEMPORARY CASH ASSISTANCE APPROPRIATED.

(F) EXCEPT AS PROVIDED IN SUBSECTION (G)(1) OF THIS SECTION, SAVINGS MADE AVAILABLE FOR REALLOCATION MAY BE USED FOR:

(1) CHILD CARE;

(2) WORK ACTIVITIES;

(3) WELFARE AVOIDANCE GRANTS;

(4) DRUG TREATMENT FOR TARGETED RECIPIENTS;

(5) TRANSPORTATION;

(6) EMERGENCY FUNDS FOR APPLICANTS AND RECIPIENTS;

(7) PAY INCENTIVES FOR EMPLOYEES OF LOCAL DEPARTMENTS;

(8) ADMINISTRATION TO THE EXTENT THAT ADDITIONAL ADMINISTRATIVE COSTS ARE REQUIRED TO EFFECTIVELY IMPLEMENT THE FIP; OR

(9) ANY OTHER DIRECT SERVICE TO APPLICANTS OR RECIPIENTS THAT THE SECRETARY AND THE LOCAL DEPARTMENT CONSIDER APPROPRIATE TO FURTHER THE PURPOSES OF THIS SUBTITLE.

(G) SAVINGS SHALL BE MADE AVAILABLE FOR REALLOCATION AS FOLLOWS:”;

in lines 11, 13, 15, 18, 21, and 27, strike “(I)”, “1.”, “2.”, “3.”, “(II)”, and “(III)”, respectively, and substitute “(1)”, “(I)”, “(II)”, “(III)”, “(2)”, and “(3)”, respectively; strike beginning with the colon in line 21 through “ALLOCATED” in line 22 and substitute “TO LOCAL DEPARTMENTS.”; in line 23 after “DEPARTMENT” insert “, FOR THE PURPOSES UNDER SUBSECTION (F) OF THIS SECTION”; strike lines 24 through 26 in their entirety; strike beginning with “TO” in line 27 down

through “SUBTITLE” in line 32 and substitute “FOR THE PURPOSES UNDER SUBSECTION (F) OF THIS SECTION”; and in line 38, strike “(F)” and substitute “(H)”.

AMENDMENT NO. 3

On page 4, strike beginning with “TO” in line 34 down through “OF” in line 35 and substitute “UNDER”; and in line 35, strike “REMAINS” and substitute “REMAIN”.

AMENDMENT NO. 4

On page 6, strike in their entirety lines 14 through 33, inclusive.

AMENDMENT NO. 5

On page 9, after line 18 insert:

“Article - Transportation

15-101.

(b) (1) “Dealer” means, except as provided in paragraph (3) of this subsection, a dealer in vehicles of a type required to be registered under Title 13 of this article.

(2) “Dealer” includes:

(i) A person who is in the business of buying, selling, or exchanging vehicles, including a person who during any 12-month period offers to sell five or more of these vehicles, the ownership of which was acquired for resale purposes; and

(ii) For the purposes of §§ 15-301 through 15-315, inclusive, of this title, any person who sells vehicles, whether or not that person acquired the vehicles for personal or business use, if the vehicles are displayed at a fixed location used principally for the purpose of selling vehicles on a regular basis.

(3) “Dealer” does not include:

(Over)

(i) A public official who sells or disposes of vehicles in the performance of his official duties;

(ii) An insurance company, finance company, bank, or other lending institution licensed or otherwise authorized to do business in this State that, to save it from loss, sells or disposes of vehicles under a contractual right and in the regular course of its business;

(iii) A licensed auctioneer acting on behalf of a seller, secured party or owner and where title does not pass to the auctioneer and the auction is not for the purpose of avoiding the provisions of this title;

(iv) A receiver, trustee, personal representative, or other person appointed by or acting under the authority of any court;

(v) Either a manufacturer or distributor who sells or distributes vehicles to licensed dealers or a person employed by a manufacturer or distributor to promote the sale of the vehicles of the manufacturer or distributor, if that manufacturer, distributor, or person does not sell vehicles to retail buyers;

(vi) A person who sells or disposes of vehicles acquired and used for personal or business use and not for the purpose of avoiding the provisions of this title, if that person is not engaged in buying, selling, or exchanging vehicles as a business;

(vii) An automotive dismantler and recycler who during the normal course of business acquires a salvage vehicle and transfers the vehicle on a salvage certificate. However, if the automotive dismantler and recycler rebuilds and sells more than 5 vehicles during a 12-month period to a person other than another automotive dismantler and recycler or licensed dealer, the automotive dismantler and recycler must be licensed as a dealer under § 15-302 of this subtitle; [or]

(viii) A person engaged in the leasing of motor vehicles under leases not intended as security; OR

(IX) A RELIGIOUS, CHARITABLE, OR VOLUNTEER ORGANIZATION EXEMPT FROM TAXATION UNDER § 501(C) OF THE INTERNAL REVENUE CODE, THE

DEPARTMENT OF HUMAN RESOURCES, OR A LOCAL DEPARTMENT OF SOCIAL SERVICES TRANSFERRING A VEHICLE UNDER § 13-810 OF THIS ARTICLE.”.

AMENDMENT NO. 6

On page 12, after line 2 insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That:

(a)The Department of Human Resources, in consultation with the Department of Labor, Licensing, and Regulation, the Department of Business and Economic Development, the Department of Health and Mental Hygiene, the State Department of Education, and the Maryland Higher Education Commission shall redesign the Family Investment Program service delivery system from the “ground up” to improve customer service, leverage available resources, and avoid duplication of effort.

(b) The redesign effort shall include:

(1) defining the core service activities of the service delivery system;

(2) examining public or private organizations throughout the country that perform these core activities in an exemplary manner;

(3) determining supplemental services;

(4) analyzing the opportunities for unified action and organizational boundary change among the State agencies;

(5) designing a new organizational and programmatic structure to most effectively deliver the identified services; and

(6) developing a mechanism for evaluating the effectiveness of the new system;

(c) The Department of Labor, Licensing, and Regulation, the Department of Business and Economic Development, the Department of Health and Mental Hygiene, the State Department of

(Over)

Education, and the Maryland Higher Education Commission shall, as requested by the Department of Human Resources:

(1) assist the Department of Human Resources to design the new system from the “ground up”;

(2) contribute organizational resources necessary to build the system; and

(3) assist the Department of Human Resources in implementing and evaluating the new system;

(d) The Department of Human Resources shall:

(1) implement the redesigned service delivery system as a pilot project in Anne Arundel County on or before July 1, 2000;

(2) as part of the pilot project, integrate in the Glen Burnie Multi-Service Center, on or before October 1, 1998, the staff and resources of the Anne Arundel County Department of Social Services Job Center, the Job Service, the Unemployment Insurance Office, and the Division of Rehabilitation, to improve the efficiency of customer service and reduce duplication of services;

(e) Funding, in an amount not to exceed \$1 million annually, from the savings provided under § 52(g)(3) of Article 88A of the Code, as enacted by Section 1 of this Act, shall be used to design, develop, implement, and evaluate the redesigned service delivery system required by this section; and

(f) The Department of Human Resources shall present a preliminary report on the redesigned service delivery system to the Joint Committee on Welfare Reform and, in accordance with § 2-1246 of the State Government Article, the General Assembly, on or before July 1, 1999 and shall present a final report on or before January 1, 2001.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall remain effective for a period of three years and, at the end of May 31, 2001, with no further action required by the General Assembly, Section 4 of this Act shall be abrogated and of no further force and effect.

SECTION 6. AND BE IT FURTHER ENACTED, That:

(a) The Department of Human Resources shall conduct a study of finger imaging as a method of preventing fraudulent applications for and fraudulent receipt of Family Investment Program and Food Stamp Program benefits.

(b) As part of the study, the Department shall examine:

(1) the cost effectiveness of finger imaging programs in other states;

(2) the impact on Maryland of surrounding states' establishment of finger imaging programs;

(3) the impact of finger imaging in comparison to other methods of preventing fraud;
and

(4) the projected savings to Maryland through deterrence of fraudulent applications and apprehension of public assistance recipients fraudulently receiving benefits.

(c) The Department shall report the findings and recommendations of its study to the Senate Finance Committee and the House Appropriations Committee of the General Assembly by October 1, 1998."

AMENDMENT NO. 7

On page 12, strike in their entirety lines 3 through 23, inclusive; in lines 24 and 28, strike "6." and "7.", respectively, and substitute "7." and "8.", respectively; and in line 28, after "That" insert ", subject to the provisions of Section 7 of this Act.".