

HOUSE BILL 1035

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1998 Regular Session
8lr0921

By: **Delegates Rosenberg, Cadden, Branch, C. Mitchell, Heller, and Rawlings**

Introduced and read first time: February 13, 1998

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Welfare Innovation Act of 1998**

3 FOR the purpose of requiring the Secretary of Human Resources to establish a
4 certain performance incentive program for certain employees of local
5 departments of social services by a certain date; specifying the source of
6 payment for pay incentives to be provided under the program; requiring the
7 Secretary to submit a certain implementation plan for the performance
8 incentive program by a certain date; codifying a provision of law related to the
9 use of certain savings involving the Family Investment Program; requiring the
10 Secretary to give priority to and use a certain percentage of funds allocated to
11 demonstration projects for the funding of certain proposals; repealing a
12 provision of law that required the Secretary of Health and Mental Hygiene to
13 apply for a certain waiver; requiring the Department of Human Resources and
14 local departments of social services to execute certain hiring agreements with
15 certain entities doing business with the State for the purpose of hiring Family
16 Investment Program recipients; requiring the Board of Public Works to
17 designate certain procurement contracts as eligible contracts that in conjunction
18 with the award of such contracts a hiring agreement is to be executed; requiring
19 the Department to develop a certain model form; requiring the Department and
20 local departments of social services to submit a certain annual report to certain
21 persons; establishing an exemption from payment of a certain excise tax for
22 vehicles acquired by certain nonprofit entities and the Department and local
23 departments of social services; establishing a certain exemption from payment
24 of a certain excise tax for certain individuals on transfer of a vehicle to an
25 individual from certain persons; altering a certain definition; requiring the
26 Governor to give priority to funding certain projects; providing for the
27 termination of certain provisions of this Act; providing for the effective date of
28 certain provisions of this Act; defining certain terms; and generally relating to
29 the Family Investment Program.

30 BY repealing and reenacting, with amendments,
31 Article 88A - Department of Human Resources
32 Section 52 and 53
33 Annotated Code of Maryland

- 1 (1995 Replacement Volume and 1997 Supplement)
- 2 BY adding to
- 3 Article 88A - Department of Human Resources
- 4 Section 53A and 53B
- 5 Annotated Code of Maryland
- 6 (1995 Replacement Volume and 1997 Supplement)
- 7 BY repealing
- 8 Article - Health - General
- 9 Section 15-103(d)
- 10 Annotated Code of Maryland
- 11 (1994 Replacement Volume and 1997 Supplement)
- 12 BY adding to
- 13 Article - State Finance and Procurement
- 14 Section 13-224
- 15 Annotated Code of Maryland
- 16 (1995 Replacement Volume and 1997 Supplement)
- 17 BY repealing and reenacting, with amendments,
- 18 Article - Transportation
- 19 Section 15-101(b)
- 20 Annotated Code of Maryland
- 21 (1992 Replacement Volume and 1997 Supplement)
- 22 BY repealing
- 23 Chapter 351 of the Acts of the General Assembly of 1996, as amended by
- 24 Chapter 593 of the Acts of the General Assembly of 1997
- 25 Section 11
- 26 BY repealing and reenacting, with amendments,
- 27 Article - Transportation
- 28 Section 13-810(a)(21) and (22) and (c)(7) and (8)
- 29 Annotated Code of Maryland
- 30 (1992 Replacement Volume and 1997 Supplement)
- 31 BY repealing and reenacting, with amendments,
- 32 Article - Transportation
- 33 Section 13-810(a)(20) and (21) and (c)(7) and (8)
- 34 Annotated Code of Maryland
- 35 (1992 Replacement Volume and 1997 Supplement)
- 36 (As enacted by Chapter 304 of the Acts of the General Assembly of 1996)

1 BY adding to
2 Article - Transportation
3 Section 13-810(a)(23) and (c)(9)
4 Annotated Code of Maryland
5 (1992 Replacement Volume and 1997 Supplement)

6 BY adding to
7 Article - Transportation
8 Section 13-810(a)(22) and (c)(9)
9 Annotated Code of Maryland
10 (1992 Replacement Volume and 1997 Supplement)
11 (As enacted by Chapter 304 of the Acts of the General Assembly of 1996)

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

14 **Article 88A - Department of Human Resources**

15 52.

16 (a) All assistance granted under this subtitle shall be subject to periodic
17 recertification.

18 (b) During a certification period, the Department may at any time cancel,
19 suspend, or revoke assistance if:

20 (1) The recipient's circumstances have altered sufficiently to warrant
21 cancellation, suspension, or revocation; or

22 (2) The recipient has failed to comply with FIP requirements.

23 (c) (1) Except as provided in paragraph (3) of this subsection, the Governor
24 shall provide sufficient funds under this subtitle to ensure that the value of
25 temporary cash assistance, combined with federal food stamps, is at a minimum equal
26 to 61 percent of the State minimum living level.

27 (2) Except as provided in paragraph (3) of this subsection, the Governor
28 shall provide sufficient funds to maintain the FIP at the level of the Fiscal Year 1997
29 appropriation.

30 (3) The funds under this subsection may be less than the amount
31 described in paragraph (1) or (2) of this subsection if the Governor reports to the
32 General Assembly, in accordance with § 2-1246 of the State Government Article, on
33 the reasons for the reduced funding for temporary cash assistance and food stamps.

34 (4) This subsection does not limit the flexibility of local departments of
35 social services regarding the provision of services.

1 (d) If the Secretary determines during the fiscal year that the funds available
2 for the FIP are insufficient to make payments in accordance with the amount of
3 assistance otherwise established by law, the Secretary shall:

4 (1) Provide for a uniform method of adjusting individual payments;

5 (2) Notify the Joint Committee on Welfare Reform; and

6 (3) Submit emergency regulations, as provided in Title 10, Subtitle 1 of
7 the State Government Article, to implement the adjustment.

8 (E) (1) AS OF JULY 1 OF EACH YEAR, ANY SAVINGS THE DEPARTMENT
9 ANTICIPATES ACHIEVING FROM FUNDS APPROPRIATED TO IT FOR FIP DURING THE
10 CURRENT FISCAL YEAR AS A RESULT OF CASELOAD REDUCTIONS OR OTHER
11 REDUCTIONS IN THE TOTAL AMOUNT OF TEMPORARY CASH ASSISTANCE PAID TO
12 RECIPIENTS WHEN COMPARED TO THE TOTAL AMOUNT OF TEMPORARY CASH
13 ASSISTANCE APPROPRIATED SHALL BE AVAILABLE FOR REALLOCATION WITHIN THE
14 BUDGET OF THE DEPARTMENT TO SUPPORT ACTIVITIES THROUGH LOCAL
15 DEPARTMENTS AS FOLLOWS:

16 (I) 10% OF THE SAVINGS TO A COMBINATION OF, THE OPERATING
17 COSTS FOR ONE OR MORE OF THE FOLLOWING:

18 1. DEMONSTRATION PROJECTS CREATED IN § 53 OF THIS
19 SUBTITLE;

20 2. SECOND CHANCE HOMES NOT SUBJECT TO THE
21 RESTRICTIONS OF SECTION 12 OF CHAPTER 351 OF THE ACTS OF THE GENERAL
22 ASSEMBLY OF 1996; OR

23 3. DEMONSTRATION PROJECTS TO EMPIRICALLY EVALUATE
24 A STRATEGY OR SET OF STRATEGIES TO REDUCE THE INCIDENCE OF NONMARITAL
25 BIRTHS IN THE STATE;

26 (II) 45% OF THE SAVINGS:

27 1. SUBJECT TO ITEM 2 OF THIS ITEM, SHALL BE ALLOCATED
28 IN ACCORDANCE WITH THE SAVINGS ACHIEVED BY EACH LOCAL DEPARTMENT; AND

29 2. SHALL BE USED TO PROVIDE PAY INCENTIVES TO
30 EMPLOYEES OF A LOCAL DEPARTMENT IN ACCORDANCE WITH § 53A OF THIS
31 SUBTITLE; AND

32 (III) 45% OF THE SAVINGS TO CHILD CARE, WORK ACTIVITIES,
33 WELFARE AVOIDANCE, DRUG TREATMENT FOR TARGETED RECIPIENTS, EMERGENCY
34 FUNDS FOR APPLICANTS AND RECIPIENTS, ADMINISTRATION TO THE EXTENT THAT
35 ADDITIONAL ADMINISTRATIVE COSTS ARE REQUIRED TO EFFECTIVELY IMPLEMENT
36 THE FIP, OR ANY OTHER DIRECT SERVICE TO APPLICANTS OR RECIPIENTS THAT THE
37 SECRETARY DEEMS APPROPRIATE TO FURTHER THE PURPOSES OF THIS SUBTITLE.

(2) NOTWITHSTANDING § 7-302 OF THE STATE FINANCE AND
PROCUREMENT ARTICLE, ANY OF THE SAVINGS ALLOCATED TO A LOCAL
DEPARTMENT UNDER PARAGRAPH (1)(II)1 OF THIS SUBSECTION THAT REMAINS
UNEXPENDED AFTER THE CURRENT FISCAL YEAR MAY BE CARRIED OVER INTO THE
NEXT FISCAL YEAR.

[(e)] (F) (1) All assistance granted under this subtitle is subject to all
future amendment or repeal of this subtitle.

(2) A recipient does not have a right to compensation by reason of the
recipient's assistance having been affected by amendment or repeal of this subtitle.

(3) Recipients who obtain employment shall remain eligible for medical
assistance up to 12 months after the date of employment.

53.

(a) (1) The Secretary shall establish demonstration projects through grants
to nonprofit organizations, local education agencies, local management boards, local
health departments, religious organizations, and institutions of higher education,
which shall jointly develop proposals for these demonstration projects with local
departments of social services.

(2) (i) Not more than 50% of the funding allocated for demonstration
projects under this section shall be allocated to a single demonstration project.

(ii) The funds allocated for demonstration projects under this
section are incentive funds over and above any transfer of FIP benefits to a third
party.

(3) At least one of the demonstration projects under this section shall be
located in counties other than the two counties with the largest numbers of FIP
recipients.

(4) The funds allocated to demonstration projects under this section may
not be used in the furtherance of sectarian religious instruction or worship.

(5) Funds allocable to demonstration projects under the provisions of
paragraph (2) of this subsection shall, if feasible, be used for demonstration projects
in the subdivisions which generated the savings.

(6) The Secretary shall award grants for these demonstration projects
through a competitive bid process which includes:

(i) The issuance of a request for proposals; and

(ii) The establishment of an evaluation panel to review competing
proposals and to make a recommendation to the Secretary concerning which
proposals have the greatest programmatic and financial merit.

1 (7) WHEN AWARDING GRANTS UNDER PARAGRAPH (6) OF THIS
2 SUBSECTION, THE SECRETARY SHALL GIVE PRIORITY IN FUNDING FOR AT LEAST 20%
3 OF THE FUNDS ALLOCATED TO DEMONSTRATION PROJECTS UNDER THIS SECTION
4 TO REGIONAL PROPOSALS FROM TWO OR MORE COUNTIES OF THE STATE.

5 (b) In the request for proposals, the Secretary shall include requirements that:

6 (1) Applicants specify what goods or services, or both, they will provide
7 to participants; and

8 (2) Each demonstration project shall:

9 (i) Complement the local department Family Investment Program
10 Plan; and

11 (ii) Address specific, unmet local needs and barriers that prevent
12 families from meeting the requirements of this subtitle.

13 (c) The Secretary shall encourage and facilitate any demonstration projects,
14 in addition to the demonstration projects funded through savings identified in
15 subsection (a) of this section, which are supported through:

16 (1) The voluntary transfer of temporary cash assistance and food stamp
17 benefits to the demonstration project;

18 (2) The transfer of administrative costs from the local department of
19 social services; and

20 (3) Any nonstate funds available to the project.

21 53A.

22 (A) ON OR BEFORE OCTOBER 1, 1998, THE SECRETARY SHALL ESTABLISH A
23 PERFORMANCE INCENTIVE PROGRAM IN THE DEPARTMENT TO PROVIDE PAY
24 INCENTIVES TO EMPLOYEES OF THE DEPARTMENT WHO ARE RESPONSIBLE FOR
25 ASSISTING RECIPIENTS OF TEMPORARY CASH ASSISTANCE UNDER THE FIP IN
26 OBTAINING EMPLOYMENT.

27 (B) THE SECRETARY SHALL DESIGN THE PERFORMANCE INCENTIVE
28 PROGRAM REQUIRED UNDER SUBSECTION (A) OF THIS SECTION IN A MANNER THAT
29 ALLOWS EACH LOCAL DEPARTMENT TO PROVIDE PAY INCENTIVES TO EMPLOYEES
30 FOR SUPERIOR PERFORMANCE IN ASSISTING FIP RECIPIENTS IN OBTAINING
31 PERMANENT UNSUBSIDIZED EMPLOYMENT.

32 (C) PAY INCENTIVES PROVIDED TO EMPLOYEES OF A LOCAL DEPARTMENT
33 UNDER THIS SECTION SHALL BE PAID FROM THE SAVINGS TO THE FIP ACHIEVED BY
34 THAT LOCAL DEPARTMENT DURING THE CURRENT FISCAL YEAR FROM CASELOAD
35 REDUCTIONS OR OTHER REDUCTIONS IN THE TOTAL AMOUNT OF TEMPORARY CASH
36 ASSISTANCE BENEFITS PAID TO RECIPIENTS COMPARED TO THE TOTAL AMOUNT OF
37 TEMPORARY CASH ASSISTANCE BENEFITS BUDGETED.

1 (D) IF FUNDS ARE NOT AVAILABLE TO PROVIDE THE PAY INCENTIVES FROM
2 THE SAVINGS ACHIEVED BY THE LOCAL DEPARTMENT, PAY INCENTIVES MAY NOT BE
3 PROVIDED UNDER SUBSECTION (C) OF THIS SECTION.

4 53B.

5 (A) THE SECRETARY SHALL ESTABLISH A JOB SKILLS ENHANCEMENT
6 PROGRAM TO PROVIDE NEWLY EMPLOYED CURRENT AND FORMER FIP RECIPIENTS
7 WITH TRAINING IN ORDER FOR THEM TO:

8 (1) ENHANCE THEIR EXISTING JOB-RELATED SKILLS;

9 (2) GAIN ADDITIONAL OR ALTERNATIVE JOB SKILLS; OR

10 (3) LEARN INTERPERSONAL, COMMUNICATION, AND OTHER RELATED
11 SKILLS.

12 (B) THE JOB SKILLS ENHANCEMENT PROGRAM SHALL TARGET UNSKILLED
13 AND SEMISKILLED FORMER AND CURRENT FIP RECIPIENTS WHO ARE NEWLY
14 EMPLOYED IN ENTRY-LEVEL POSITIONS THAT HAVE LIMITED POTENTIAL FOR
15 ADVANCEMENT BEYOND ENTRY LEVEL.

16 (C) (1) PARTICIPATION IN THE JOB SKILLS ENHANCEMENT PROGRAM
17 SHALL BE VOLUNTARY.

18 (2) INDIVIDUALS PARTICIPATING IN THE JOB SKILLS ENHANCEMENT
19 PROGRAM SHALL SIGN A TRAINING AGREEMENT WITH THE DEPARTMENT.

20 (D) TO BE ELIGIBLE TO PARTICIPATE IN THE JOB SKILLS ENHANCEMENT
21 PROGRAM, AN INDIVIDUAL SHALL:

22 (1) HAVE BEEN A FIP RECIPIENT WITHIN THE PREVIOUS 12 MONTHS OF
23 THE DATE THE INDIVIDUAL PROPOSES TO BEGIN PARTICIPATION IN THE JOB SKILLS
24 ENHANCEMENT PROGRAM;

25 (2) HAVE BEEN EMPLOYED IN ENTRY-LEVEL, UNSUBSIDIZED
26 EMPLOYMENT FOR AT LEAST 6 MONTHS FROM THE DATE THE INDIVIDUAL
27 PROPOSES TO BEGIN PARTICIPATION IN THE JOB SKILLS ENHANCEMENT PROGRAM;

28 (3) PROVIDE EMPLOYER VALIDATION OR OTHER DOCUMENTATION OF
29 EMPLOYMENT STATUS;

30 (4) POSSESS LIMITED JOB SKILLS; AND

31 (5) HAVE LIMITED OPPORTUNITY FOR ADVANCEMENT IN CURRENT
32 EMPLOYMENT.

33 (E) THE DEPARTMENT SHALL CONTRACT FOR TRAINING SERVICES THAT ARE
34 TO BE PROVIDED UNDER THE JOB SKILLS ENHANCEMENT PROGRAM, AS PROVIDED
35 IN § 47(A) OF THIS SUBTITLE.

1 (F) (1) THE JOB SKILLS ENHANCEMENT PROGRAM SHALL BE
2 ADMINISTERED BY THE LOCAL DEPARTMENT OR THROUGH THE STATE SERVICE
3 DELIVERY AREA SYSTEM UNDER THE JOB TRAINING PARTNERSHIP ACT (JTPA).

4 (2) AS PART OF THEIR ADMINISTRATIVE RESPONSIBILITIES UNDER
5 PARAGRAPH (1) OF THIS SUBSECTION, A LOCAL DEPARTMENT OR PERSONS AT A
6 SERVICE DELIVERY AREA LOCATION SHALL:

7 (I) MANAGE EACH PARTICIPANT'S TRAINING PLAN;

8 (II) MAINTAIN A DATABASE OF APPROPRIATE TRAINING VENDORS;
9 AND

10 (III) COMPILE NECESSARY FISCAL REPORTS ON THE JOB SKILLS
11 ENHANCEMENT PROGRAM.

12 **Article - Health - General**

13 15-103.

14 [(d) The Secretary shall apply for a waiver from the Health Care Financing
15 Administration of the U.S. Department of Health and Human Services or take any
16 other steps necessary to obtain federal reimbursement for providing program services
17 to any minor who had qualified, and subsequently lost eligibility, as disabled under
18 the federal Supplemental Security Income (SSI) Program before August 22, 1996, the
19 effective date of the federal Personal Responsibility and Work Opportunity
20 Reconciliation Act.]

21 **Article - State Finance and Procurement**

22 13-224.

23 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
24 INDICATED.

25 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF HUMAN RESOURCES.

26 (3) "ELIGIBLE CONTRACT" MEANS A PROCUREMENT CONTRACT
27 DESIGNATED BY THE BOARD AS APPROPRIATE FOR THE EXECUTION OF A HIRING
28 AGREEMENT.

29 (4) "FIP" MEANS THE FAMILY INVESTMENT PROGRAM ESTABLISHED
30 UNDER ARTICLE 88A OF THE CODE.

31 (5) "HIRING AGREEMENT" MEANS AN AGREEMENT ENTERED INTO BY
32 THE DEPARTMENT OR A LOCAL DEPARTMENT AND AN ENTITY DOING BUSINESS
33 WITH THE STATE UNDER WHICH THE DEPARTMENT OR THE LOCAL DEPARTMENT
34 AND THE ENTITY AGREE TO WORK COOPERATIVELY IN ENDEAVORING TO IDENTIFY
35 AND HIRE FIP RECIPIENTS TO FILL ENTRY-LEVEL JOB OPENINGS OF THE ENTITY.

1 (6) "LOCAL DEPARTMENT" MEANS A LOCAL DEPARTMENT OF SOCIAL
2 SERVICES IN A COUNTY OR IN BALTIMORE CITY CREATED OR CONTINUED UNDER
3 THE PROVISIONS OF ARTICLE 88A, § 13 OF THE CODE.

4 (B) ON OR BEFORE OCTOBER 1, 1998, THE BOARD, IN CONSULTATION WITH
5 THE DEPARTMENT, SHALL DESIGNATE THE TYPES OF PROCUREMENT CONTRACTS
6 THAT ARE ELIGIBLE CONTRACTS.

7 (C) (1) ON OR BEFORE DECEMBER 1, 1998, THE DEPARTMENT SHALL
8 DEVELOP A MODEL HIRING AGREEMENT FORM THAT SHALL BE COMPLETED BY THE
9 DEPARTMENT OR A LOCAL DEPARTMENT AND AN ENTITY IN CONJUNCTION WITH
10 THE AWARD OF AN ELIGIBLE CONTRACT.

11 (2) THE MODEL HIRING AGREEMENT FORM SHALL INCLUDE THE
12 FOLLOWING PROVISIONS:

13 (I) THE ENTITY WILL:

14 1. INFORM THE DEPARTMENT OR THE LOCAL DEPARTMENT,
15 AS APPROPRIATE, OF ALL OF THE ENTITY'S ENTRY-LEVEL JOB OPENINGS;

16 2. DECLARE THE DEPARTMENT OR THE LOCAL
17 DEPARTMENT, AS APPROPRIATE, ITS "FIRST SOURCE" IN IDENTIFYING AND HIRING
18 CANDIDATES TO FILL THOSE ENTRY-LEVEL JOB OPENINGS;

19 3. WORK COOPERATIVELY WITH THE DEPARTMENT OR THE
20 LOCAL DEPARTMENT, AS APPROPRIATE, TO DEVELOP ANY NECESSARY TRAINING
21 PROGRAMS THAT WILL ASSIST FIP RECIPIENTS IN QUALIFYING FOR AND SECURING
22 THE ENTRY-LEVEL POSITIONS;

23 4. GIVE FIRST PREFERENCE AND FIRST CONSIDERATION TO
24 THE EXTENT PERMITTED BY LAW AND ANY EXISTING LABOR AGREEMENTS TO
25 CANDIDATES REFERRED TO IT BY THE DEPARTMENT OR THE LOCAL DEPARTMENT,
26 AS APPROPRIATE;

27 5. AGREE TO GIVE CANDIDATES REFERRED TO IT BY THE
28 DEPARTMENT OR THE LOCAL DEPARTMENT, AS APPROPRIATE, PRIORITY IN THE
29 FILLING OF AN ENTRY-LEVEL OPENING IF THE CANDIDATE MEETS THE
30 QUALIFICATIONS OF THE POSITION;

31 6. PROVIDE THE DEPARTMENT OR THE LOCAL
32 DEPARTMENT, AS APPROPRIATE, WITH INFORMATION ON THE DISPOSITION OF ALL
33 REFERRALS MADE BY THE DEPARTMENT OR THE LOCAL DEPARTMENT, AS
34 APPROPRIATE, INCLUDING AN EXPLANATION OF WHY ANY SUCH CANDIDATE WAS
35 NOT HIRED OR CONSIDERED QUALIFIED;

36 7. PROVIDE THE DEPARTMENT OR THE LOCAL
37 DEPARTMENT, AS APPROPRIATE, WITH INFORMATION REGARDING THE PROGRESS
38 AND EMPLOYMENT STATUS OF THOSE CANDIDATES REFERRED BY THE
39 DEPARTMENT OR THE LOCAL DEPARTMENT, AS APPROPRIATE, THAT IT HIRED; AND

1 8. DESIGNATE A SPECIFIC INDIVIDUAL THAT THE
2 DEPARTMENT OR THE LOCAL DEPARTMENT, AS APPROPRIATE, MAY CONTACT IN
3 REGARD TO THE PROVISIONS OF THE HIRING AGREEMENT; AND

4 (II) THE DEPARTMENT OR THE LOCAL DEPARTMENT, AS
5 APPROPRIATE, WILL ASSIGN AN ACCOUNT REPRESENTATIVE TO THE ENTITY WHO
6 WILL:

7 1. RECEIVE AND PROCESS ALL OF THE ENTITY'S JOB
8 NOTIFICATIONS;

9 2. REFER ONLY SCREENED AND QUALIFIED CANDIDATES TO
10 THE ENTITY;

11 3. ASSIST IN THE DEVELOPMENT OF ANY MUTUALLY
12 AGREED UPON TRAINING PROGRAM OR INTERNSHIP PROGRAM THAT WILL BETTER
13 PREPARE FIP RECIPIENTS FOR EMPLOYMENT WITH THE ENTITY;

14 4. ARRANGE FOLLOW-UP AND POST-HIRE
15 TRANSITIONAL/SUPPORTIVE SERVICES, SUCH AS CHILD CARE AND
16 TRANSPORTATION, AS NECESSARY AND APPROPRIATE; AND

17 5. REVIEW AND EVALUATE THE EFFECTIVENESS OF THE
18 HIRING AGREEMENT WITH THE ENTITY AND MAKE MODIFICATIONS IN THE
19 AGREEMENT AS NECESSARY AND APPROPRIATE.

20 (D) EACH YEAR, THE DEPARTMENT AND ANY LOCAL DEPARTMENTS THAT
21 HAVE ENTERED INTO HIRING AGREEMENTS SHALL SUBMIT A REPORT TO THE
22 BOARD, THE JOINT COMMITTEE ON WELFARE REFORM, AND, SUBJECT TO § 2-1246 OF
23 THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON:

24 (1) THE NUMBER OF HIRING AGREEMENTS EXECUTED;

25 (2) THE NUMBER OF FIP RECIPIENTS HIRED BY AN ENTITY WITH WHICH
26 A HIRING AGREEMENT WAS EXECUTED; AND

27 (3) THE EFFECTIVENESS OF EACH HIRING AGREEMENT IN OBTAINING
28 EMPLOYMENT FOR FIP RECIPIENTS.

29 **Article - Transportation**

30 15-101.

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

34 (2) "Dealer" includes:

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

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

8 (3) "Dealer" does not include:

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

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

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

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

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

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

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

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

36 (IX) A RELIGIOUS, CHARITABLE, OR VOLUNTEER ORGANIZATION
37 EXEMPT FROM TAXATION UNDER § 501(C) OF THE INTERNAL REVENUE CODE, THE
38 DEPARTMENT OF HUMAN RESOURCES, OR A LOCAL DEPARTMENT OF SOCIAL
39 SERVICES TRANSFERRING A VEHICLE UNDER § 13-810 OF THIS ARTICLE.

Chapter 351 of the Acts of 1996, as amended by Chapter 593 of the Acts of 1997

[SECTION 11. AND BE IT FURTHER ENACTED, That any savings the Family Investment Program, as of July 1 of each year, anticipates achieving during the current fiscal year through caseload reductions or other reductions in the total amount of cash benefits actually paid to families compared to the total amount of cash assistance benefits to families budgeted shall be available for reallocation within the budget of the Department to support activities through local departments of social services as follows:

(1) 10% of the savings to a combination of, the operating costs for, one or more of the following:

(i) demonstration projects created in Article 88A, § 53 of the Code;

(ii) second chance homes not subject to the restrictions of Section 12 of Chapter 351 of the Acts of the General Assembly of 1996; or

(iii) demonstration projects to empirically evaluate a strategy or set of strategies to reduce the incidence of nonmarital births in the State;

(2) 45% of the savings that were generated for the 2-year period following the effective date of this Act shall be allocated in accordance with the savings achieved by each local department of social services and, notwithstanding § 7-302 of the State Finance and Procurement Article, any of the savings that remains unexpended after the current fiscal year may be carried over into the next fiscal year; and

(3) 45% of the savings to child care, work activities, welfare avoidance, drug treatment for targeted recipients, emergency funds for applicants and recipients, administration to the extent that additional administrative costs are required to effectively implement this program, or any other direct service to applicants or recipients that the Secretary deems appropriate to further the purposes of this Act.]

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Transportation

13-810.

(a) On issuance in this State of an original or subsequent certificate of title for a vehicle, the vehicle is exempt from the excise tax imposed by this part, if it is:

(21) A Class M motor home or Class G travel trailer that is transferred or retitled in the dealership's name under § 15-305(d)(2) of this article; [or]

1 (22) A special purpose vehicle owned by a coal company if the vehicle is
2 used:

3 (i) For transportation of workers, coal, or equipment used in the
4 coal production process; and

5 (ii) Exclusively in or on coal mining property; OR

6 (23) A VEHICLE ACQUIRED BY A RELIGIOUS, CHARITABLE, OR
7 VOLUNTEER ORGANIZATION EXEMPT FROM TAXATION UNDER § 501(C) OF THE
8 INTERNAL REVENUE CODE, THE DEPARTMENT OF HUMAN RESOURCES, OR A LOCAL
9 DEPARTMENT OF SOCIAL SERVICES FOR THE PURPOSE OF TRANSFERRING THE
10 VEHICLE TO A FAMILY INVESTMENT PROGRAM RECIPIENT OR AN INDIVIDUAL
11 CERTIFIED BY THE DEPARTMENT OF HUMAN RESOURCES OR A LOCAL DEPARTMENT
12 OF SOCIAL SERVICES AS ELIGIBLE FOR THE TRANSFER.

13 (c) On transfer of a vehicle titled in this State and issuance of a subsequent
14 certificate of title, the vehicle is exempt from the excise tax imposed by this part, if it
15 is:

16 (7) A vehicle transferred by a corporation to its stockholder or
17 stockholders or by a limited liability company to its member or members as a
18 liquidating distribution of tangible personal property where the vehicle or vehicles
19 transferred are not a principal or substantial asset of the corporation or limited
20 liability company as determined by the Administration; [or]

21 (8) A vehicle transferred as a result of a reorganization within the
22 meaning of § 368(a) of the Internal Revenue Code; OR

23 (9) A VEHICLE TRANSFERRED TO A FAMILY INVESTMENT PROGRAM
24 RECIPIENT OR AN INDIVIDUAL CERTIFIED BY THE DEPARTMENT OF HUMAN
25 RESOURCES OR A LOCAL DEPARTMENT OF SOCIAL SERVICES AS ELIGIBLE FOR
26 TRANSFER OF THE VEHICLE THAT WAS EXEMPTED FROM THE EXCISE TAX IMPOSED
27 BY THIS PART UNDER SUBSECTION (A)(23) OF THIS SECTION.

28 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
29 read as follows:

30 **Article - Transportation**

31 13-810.

32 (a) On issuance in this State of an original or subsequent certificate of title for
33 a vehicle, the vehicle is exempt from the excise tax imposed by this part, if it is:

34 (20) A vehicle acquired for resale by a licensed dealer if the dealer
35 reassignment sections contained on the certificate of title are exhausted; [or]

36 (21) A Class M motor home or Class G travel trailer that is transferred or
37 retitled in the dealership's name under § 15-305(d)(2) of this article; OR

1 (22) A VEHICLE ACQUIRED BY A RELIGIOUS, CHARITABLE, OR
2 VOLUNTEER ORGANIZATION EXEMPT FROM TAXATION UNDER § 501(C) OF THE
3 INTERNAL REVENUE CODE, THE DEPARTMENT OF HUMAN RESOURCES, OR A LOCAL
4 DEPARTMENT OF SOCIAL SERVICES FOR THE PURPOSE OF TRANSFERRING THE
5 VEHICLE TO A FAMILY INVESTMENT PROGRAM RECIPIENT OR AN INDIVIDUAL
6 CERTIFIED BY THE DEPARTMENT OF HUMAN RESOURCES OR A LOCAL DEPARTMENT
7 OF SOCIAL SERVICES AS ELIGIBLE FOR THE TRANSFER.

8 (c) On transfer of a vehicle titled in this State and issuance of a subsequent
9 certificate of title, the vehicle is exempt from the excise tax imposed by this part, if it
10 is:

11 (7) A vehicle transferred by a corporation to its stockholder or
12 stockholders or by a limited liability company to its member or members as a
13 liquidating distribution of tangible personal property where the vehicle or vehicles
14 transferred are not a principal or substantial asset of the corporation or limited
15 liability company as determined by the Administration; [or]

16 (8) A vehicle transferred as a result of a reorganization within the
17 meaning of § 368(a) of the Internal Revenue Code; OR

18 (9) A VEHICLE TRANSFERRED TO A FAMILY INVESTMENT PROGRAM
19 RECIPIENT OR AN INDIVIDUAL CERTIFIED BY THE DEPARTMENT OF HUMAN
20 RESOURCES OR A LOCAL DEPARTMENT OF SOCIAL SERVICES AS ELIGIBLE FOR
21 TRANSFER OF THE VEHICLE THAT WAS EXEMPTED FROM THE EXCISE TAX IMPOSED
22 BY THIS PART UNDER SUBSECTION (A)(22) OF THIS SECTION.

23 SECTION 4. AND BE IT FURTHER ENACTED, That, on or before September
24 1, 1998, the Secretary of Human Resources shall:

25 (1) provide to the General Assembly for its review and comment an
26 implementation plan for the performance incentive program to be established under
27 this Act; and

28 (2) include in the implementation plan:

29 (i) details on the levels of incentives available;

30 (ii) details on the number of employees to be included in the
31 performance incentive program;

32 (iii) a description of the level of involvement that the employees to
33 be included in the performance incentive program have or will have in its
34 development and design; and

35 (iv) any other information that the Secretary considers appropriate.

36 SECTION 5. AND BE IT FURTHER ENACTED, That, the Governor, when
37 distributing any funds from the welfare-to-work grant funds received by the State
38 under the Balanced Budget Act of 1997 to fund projects to help long-term recipients

1 of assistance under the Family Investment Program established under Article 88A of
2 the Code, or the former Aid to Families with Dependent Children program, to enter
3 unsubsidized employment, shall give priority in funding, for at least 20% of the
4 welfare-to-work grant funds from the maximum of 15% allowed under the Balanced
5 Budget Act of 1997, to regional projects that involve two or more counties in the State.

6 SECTION 6. AND BE IT FURTHER ENACTED, That, at the end of December
7 31, 2000, with no further action required by the General Assembly, Section 2 of this
8 Act shall be abrogated and of no further force and effect and Section 3 of this Act shall
9 take effect. This section supersedes the termination and abrogation provisions of
10 Section 2 of Chapter 304 of the Acts of the General Assembly of 1996.

11 SECTION 7. AND BE IT FURTHER ENACTED, That, except as provided in
12 Section 6 of this Act, this Act shall take effect June 1, 1998.