

SENATE BILL 686

Unofficial Copy
01

1998 Regular Session
(8lr1770)

ENROLLED BILL
-- Finance/Appropriations --

Introduced by **Senators Trotter, Derr, Madden, Bromwell, Dorman,
Teitelbaum, Della, Roesser, Hafer, and Astle**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

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 of Human Resources to give priority to and use a certain percentage of
11 funds allocated to demonstration projects for the funding of certain proposals;
12 requiring the Secretary of Human Resources to establish a Job Skills
13 Enhancement Pilot Program; establishing an exemption from the definition of a
14 vehicle dealer for certain nonprofit entities, the Department of Human
15 Resources, and the local departments of social services; repealing a provision of
16 law that required the Secretary of Health and Mental Hygiene to apply for a

1 certain waiver; requiring the Department of Human Resources and local
 2 departments of social services to execute certain hiring agreements with certain
 3 entities doing business with the State for the purpose of hiring Family
 4 Investment Program recipients; requiring the Board of Public Works to
 5 designate certain procurement contracts as eligible contracts that in conjunction
 6 with the award of such contracts a hiring agreement is to be executed; requiring
 7 the Department to develop a certain model form; requiring the Department and
 8 local departments of social services to submit a certain annual report to certain
 9 persons; establishing an exemption from payment of a certain excise tax for
 10 vehicles acquired by certain nonprofit entities and the Department and local
 11 departments of social services; ~~repealing a certain cost-neutrality provision;~~
 12 establishing a certain exemption from payment of a certain excise tax for certain
 13 individuals on transfer of a vehicle to an individual from certain persons;
 14 ~~requiring the Governor to give priority funding to certain projects; requiring the~~
 15 ~~Department, in consultation with the Department of Labor, Licensing, and~~
 16 ~~Regulation, the Department of Business and Economic Development, the~~
 17 ~~Department of Health and Mental Hygiene, the State Department of Education,~~
 18 ~~and the Maryland Higher Education Commission, to redesign the Family~~
 19 ~~Investment Program service delivery system; requiring the Department to~~
 20 ~~implement the redesigned service delivery system in a certain as a pilot project~~
 21 ~~in one jurisdiction by a certain date; providing a funding source for the~~
 22 ~~redesigned system; requiring the Department of Human Resources to conduct a~~
 23 ~~certain finger imaging study as a method of preventing fraudulent application~~
 24 ~~for and receipt of certain benefits; requiring the Secretary to establish a certain~~
 25 ~~demonstration project in the Glen Burnie Multi-Service Center; requiring~~
 26 ~~certain reports providing that certain funds may not revert to a certain account;~~
 27 providing for the termination of certain provisions of this Act; providing for the
 28 effective date of certain provisions of this Act; defining certain terms; and
 29 generally relating to 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
 34 (1995 Replacement Volume and 1997 Supplement)

35 ~~BY adding to~~
 36 ~~Article 88A - Department of Human Resources~~
 37 ~~Section 53A~~
 38 ~~Annotated Code of Maryland~~
 39 ~~(1995 Replacement Volume and 1997 Supplement)~~

40 BY adding to
 41 Article 88A - Department of Human Resources
 42 Section 53A
 43 Annotated Code of Maryland

1 (1995 Replacement Volume and 1997 Supplement)

2 BY repealing

3 Article - Health - General

4 Section 15-103(d)

5 Annotated Code of Maryland

6 (1994 Replacement Volume and 1997 Supplement)

7 BY adding to

8 Article - State Finance and Procurement

9 Section 13-224

10 Annotated Code of Maryland

11 (1995 Replacement Volume and 1997 Supplement)

12 BY repealing

13 Chapter 351 of the Acts of the General Assembly of 1996, as amended by

14 Chapter 593 of the Acts of the General Assembly of 1997

15 Section 11

16 BY repealing and reenacting, with amendments,

17 Chapter 490 of the Acts of the General Assembly of 1995

18 Section 2

19 BY repealing and reenacting, with amendments,

20 Article - Transportation

21 Section 13-810(a)(21) and (22) and (c)(7) and (8) and 15-101(b)

22 Annotated Code of Maryland

23 (1992 Replacement Volume and 1997 Supplement)

24 BY repealing and reenacting, with amendments,

25 Article - Transportation

26 Section 13-810(a)(20) and (21) and (c)(7) and (8)

27 Annotated Code of Maryland

28 (1992 Replacement Volume and 1997 Supplement)

29 (As enacted by Chapter 304 of the Acts of the General Assembly of 1996)

30 BY adding to

31 Article - Transportation

32 Section 13-810(a)(23) and (c)(9)

33 Annotated Code of Maryland

34 (1992 Replacement Volume and 1997 Supplement)

35 BY adding to

36 Article - Transportation

1 Section 13-810(a)(22) and (c)(9)
2 Annotated Code of Maryland
3 (1992 Replacement Volume and 1997 Supplement)
4 (As enacted by Chapter 304 of the Acts of the General Assembly of 1996)

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

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

8 52.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 (1) CASELOAD REDUCTIONS; OR

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

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

19 (1) CHILD CARE;

20 (2) WORK ACTIVITIES;

21 (3) WELFARE AVOIDANCE GRANTS;

22 (4) DRUG TREATMENT FOR TARGETED RECIPIENTS;

23 (5) TRANSPORTATION;

24 (6) EMERGENCY FUNDS FOR APPLICANTS AND RECIPIENTS;

25 ~~(7)~~ PAY INCENTIVES FOR EMPLOYEES OF LOCAL DEPARTMENTS;

26 ~~(8)~~ (7) ADMINISTRATION TO THE EXTENT THAT ADDITIONAL
 27 ADMINISTRATIVE COSTS ARE REQUIRED TO EFFECTIVELY IMPLEMENT THE FIP; OR

28 ~~(9)~~ (8) ANY OTHER DIRECT SERVICE TO APPLICANTS OR RECIPIENTS
 29 THAT THE SECRETARY AND THE LOCAL DEPARTMENT CONSIDER APPROPRIATE TO
 30 FURTHER THE PURPOSES OF THIS SUBTITLE.

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

32 ~~(1)~~ (1) 10% OF THE SAVINGS TO A COMBINATION OF THE
 33 OPERATING COSTS FOR ONE OR MORE OF THE FOLLOWING:

34 ~~(1)~~ (1) DEMONSTRATION PROJECTS CREATED IN § 53 OF
 35 THIS SUBTITLE;

1 ~~2.~~ (II) SECOND CHANCE HOMES NOT SUBJECT TO THE
2 RESTRICTIONS OF § 12 OF CHAPTER 351 OF THE ACTS OF THE GENERAL ASSEMBLY OF
3 1996; OR

4 ~~3.~~ (III) DEMONSTRATION PROJECTS TO EMPIRICALLY
5 EVALUATE A STRATEGY OR SET OF STRATEGIES TO REDUCE THE INCIDENCE OF
6 NONMARITAL BIRTHS IN THE STATE;

7 ~~(H)~~ (2) 45% OF THE SAVINGS:

8 ~~1.~~ ~~SUBJECT TO ITEM 2 OF THIS ITEM, SHALL BE ALLOCATED~~
9 ~~TO LOCAL DEPARTMENTS, IN ACCORDANCE WITH THE SAVINGS ACHIEVED BY EACH~~
10 ~~LOCAL DEPARTMENT, FOR THE PURPOSES UNDER SUBSECTION (F) OF THIS SECTION;~~
11 AND

12 ~~2.~~ ~~SHALL BE USED TO PROVIDE PAY INCENTIVES TO~~
13 ~~EMPLOYEES OF A LOCAL DEPARTMENT IN ACCORDANCE WITH § 53A OF THIS~~
14 ~~SUBTITLE; AND~~

15 ~~(H)~~ (3) 45% OF THE SAVINGS TO CHILD CARE, WORK ACTIVITIES,
16 ~~WELFARE AVOIDANCE, DRUG TREATMENT FOR TARGETED RECIPIENTS, EMERGENCY~~
17 ~~FUNDS FOR APPLICANTS AND RECIPIENTS, ADMINISTRATION TO THE EXTENT THAT~~
18 ~~ADDITIONAL ADMINISTRATIVE COSTS ARE REQUIRED TO EFFECTIVELY IMPLEMENT~~
19 ~~THE FIP, OR ANY OTHER DIRECT SERVICE TO APPLICANTS OR RECIPIENTS THAT THE~~
20 ~~SECRETARY DEEMS APPROPRIATE TO FURTHER THE PURPOSES OF THIS SUBTITLE~~
21 ~~FOR THE PURPOSES UNDER SUBSECTION (F) OF THIS SECTION.~~

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

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

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

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

33 53

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

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

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

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

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

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

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

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

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

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

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

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

27 (2) Each demonstration project shall:

28 (i) Complement the local department Family Investment Program
29 Plan; and

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

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

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

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

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

4 ~~53A.~~

5 ~~(A) ON OR BEFORE OCTOBER 1, 1998, THE SECRETARY SHALL ESTABLISH A
6 PERFORMANCE INCENTIVE PROGRAM IN THE DEPARTMENT TO PROVIDE PAY
7 INCENTIVES TO EMPLOYEES OF THE DEPARTMENT WHO ARE RESPONSIBLE FOR
8 ASSISTING RECIPIENTS OF TEMPORARY CASH ASSISTANCE UNDER THE FIP IN
9 OBTAINING EMPLOYMENT.~~

10 ~~(B) THE SECRETARY SHALL DESIGN THE PERFORMANCE INCENTIVE
11 PROGRAM REQUIRED UNDER SUBSECTION (A) OF THIS SECTION IN A MANNER THAT
12 ALLOWS EACH LOCAL DEPARTMENT TO PROVIDE PAY INCENTIVES TO EMPLOYEES
13 FOR SUPERIOR PERFORMANCE IN ASSISTING FIP RECIPIENTS IN OBTAINING
14 PERMANENT UNSUBSIDIZED EMPLOYMENT.~~

15 ~~(C) PAY INCENTIVES PROVIDED TO EMPLOYEES OF A LOCAL DEPARTMENT
16 UNDER THIS SECTION SHALL BE PAID FROM THE SAVINGS TO THE FIP ACHIEVED BY
17 THAT LOCAL DEPARTMENT DURING THE CURRENT FISCAL YEAR FROM CASELOAD
18 REDUCTIONS OR OTHER REDUCTIONS IN THE TOTAL AMOUNT OF TEMPORARY CASH
19 ASSISTANCE BENEFITS PAID TO RECIPIENTS COMPARED TO THE TOTAL AMOUNT OF
20 TEMPORARY CASH ASSISTANCE BENEFITS BUDGETED.~~

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

24 53A.

25 (A) THE SECRETARY, IN COOPERATION WITH THE DIRECTORS OF LOCAL
26 DEPARTMENTS OF SOCIAL SERVICES, SHALL ESTABLISH A JOB SKILLS
27 ENHANCEMENT PILOT PROGRAM IN AT LEAST THREE COUNTIES, ONE OF WHICH
28 SHALL BE LOCATED IN WESTERN MARYLAND, SOUTHERN MARYLAND, OR THE
29 EASTERN SHORE, TO PROVIDE NEWLY EMPLOYED CURRENT AND FORMER FIP
30 RECIPIENTS WITH TRAINING IN ORDER FOR THEM TO:

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

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

33 (3) LEARN INTERPERSONAL, COMMUNICATION, AND OTHER RELATED
34 SKILLS.

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

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

3 (2) INDIVIDUALS PARTICIPATING IN THE JOB SKILLS ENHANCEMENT
4 PROGRAM SHALL SIGN A TRAINING AGREEMENT WITH THE LOCAL DEPARTMENT.

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

7 (1) HAVE BEEN A FIP RECIPIENT WITHIN THE PREVIOUS 18 MONTHS OF
8 THE DATE THE INDIVIDUAL PROPOSES TO BEGIN PARTICIPATION IN THE JOB SKILLS
9 ENHANCEMENT PROGRAM;

10 (2) HAVE BEEN EMPLOYED IN ENTRY-LEVEL EMPLOYMENT FOR AT
11 LEAST 6 MONTHS FROM THE DATE THE INDIVIDUAL PROPOSES TO BEGIN
12 PARTICIPATION IN THE JOB SKILLS ENHANCEMENT PROGRAM;

13 (3) PROVIDE EMPLOYER VALIDATION OR OTHER DOCUMENTATION OF
14 EMPLOYMENT STATUS;

15 (4) POSSESS LIMITED JOB SKILLS; AND

16 (5) HAVE LIMITED OPPORTUNITY FOR ADVANCEMENT IN CURRENT
17 EMPLOYMENT.

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

21 (F) (1) AT THE DISCRETION OF THE SECRETARY, IN CONSULTATION WITH
22 THE LOCAL DEPARTMENT DIRECTOR, THE JOB SKILLS ENHANCEMENT PROGRAM
23 SHALL BE ADMINISTERED BY THE LOCAL DEPARTMENT OR THROUGH THE STATE
24 SERVICE DELIVERY AREA SYSTEM UNDER THE JOB TRAINING PARTNERSHIP ACT
25 (JTPA).

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

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

30 (II) MAINTAIN A DATABASE OF APPROPRIATE TRAINING VENDORS;
31 AND

32 (III) COMPILE NECESSARY FISCAL REPORTS ON THE JOB SKILLS
33 ENHANCEMENT PROGRAM.

1

Article - Health - General

2 15-103.

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

10

Article - State Finance and Procurement

11 13-224.

12 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
13 INDICATED.

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

15 (3) "ELIGIBLE CONTRACT" MEANS A PROCUREMENT CONTRACT
16 DESIGNATED BY THE BOARD AS APPROPRIATE FOR THE EXECUTION OF A HIRING
17 AGREEMENT.

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

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

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

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

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

35 (2) THE MODEL HIRING AGREEMENT FORM SHALL INCLUDE THE
36 FOLLOWING PROVISIONS:

(I) THE ENTITY WILL:

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

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

6 3. WORK COOPERATIVELY WITH THE DEPARTMENT OR THE
7 LOCAL DEPARTMENT, AS APPROPRIATE, TO DEVELOP ANY NECESSARY TRAINING
8 PROGRAMS THAT WILL ENABLE FIP RECIPIENTS IN QUALIFYING FOR AND SECURING
9 THE ENTRY-LEVEL POSITIONS;

10 4. GIVE FIRST PREFERENCE AND FIRST CONSIDERATION TO
11 THE EXTENT PERMITTED BY LAW AND ANY EXISTING LABOR AGREEMENTS TO
12 CANDIDATES REFERRED TO THE ENTITY BY THE DEPARTMENT OR THE LOCAL
13 DEPARTMENT, AS APPROPRIATE;

14 5. AGREE TO GIVE CANDIDATES REFERRED TO THE ENTITY
15 BY THE DEPARTMENT OR THE LOCAL DEPARTMENT, AS APPROPRIATE, PRIORITY IN
16 THE FILLING OF AN ENTRY-LEVEL OPENING IF THE CANDIDATE MEETS THE
17 QUALIFICATIONS OF THE POSITION;

18 6. PROVIDE THE DEPARTMENT OR THE LOCAL
19 DEPARTMENT, AS APPROPRIATE, WITH INFORMATION ON THE DISPOSITION OF ALL
20 REFERRALS MADE BY THE DEPARTMENT OR THE LOCAL DEPARTMENT, AS
21 APPROPRIATE, INCLUDING AN EXPLANATION OF WHY ANY SUCH CANDIDATE WAS
22 NOT HIRED OR CONSIDERED QUALIFIED;

23 7. PROVIDE THE DEPARTMENT OR THE LOCAL
24 DEPARTMENT, AS APPROPRIATE, WITH INFORMATION REGARDING THE PROGRESS
25 AND EMPLOYMENT STATUS OF THOSE CANDIDATES REFERRED BY THE
26 DEPARTMENT OR THE LOCAL DEPARTMENT, AS APPROPRIATE, THAT THE ENTITY
27 HIRED; AND

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

(II) THE DEPARTMENT OR THE LOCAL DEPARTMENT, AS
31 APPROPRIATE, WILL ASSIGN AN ACCOUNT REPRESENTATIVE TO THE ENTITY WHO
32 WILL:

33 1. RECEIVE AND PROCESS ALL OF THE ENTITY'S JOB
34 NOTIFICATIONS;

35 2. REFER ONLY SCREENED AND QUALIFIED CANDIDATES TO
36 THE ENTITY;

1 3. ASSIST IN THE DEVELOPMENT OF ANY MUTUALLY
2 AGREED UPON TRAINING PROGRAMS, INTERNSHIP PROGRAMS, OR BOTH THAT WILL
3 BETTER PREPARE FIP RECIPIENTS FOR EMPLOYMENT WITH THE ENTITY;

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

7 5. REVIEW AND EVALUATE THE EFFECTIVENESS OF THE
8 HIRING AGREEMENT WITH THE ENTITY AND MAKE MODIFICATIONS IN THE
9 AGREEMENT AS NECESSARY AND APPROPRIATE.

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

14 (1) THE NUMBER OF HIRING AGREEMENTS EXECUTED;

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

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

19 **Article - Transportation**

20 15-101.

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

24 (2) "Dealer" includes:

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

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

32 (3) "Dealer" does not include:

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

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

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

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

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

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

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

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

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

30 **Chapter 351 of the Acts of 1996, as amended by Chapter 593 of the Acts of**
 31 **1997**

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

39 (1) 10% of the savings to a combination of, the operating costs for, one or
 40 more of the following:

- 1 (i) demonstration projects created in Article 88A, § 53 of the Code;
- 2 (ii) second chance homes not subject to the restrictions of Section 12
3 of Chapter 351 of the Acts of the General Assembly of 1996; or
- 4 (iii) demonstration projects to empirically evaluate a strategy or set
5 of strategies to reduce the incidence of nonmarital births in the State;

6 (2) 45% of the savings that were generated for the 2-year period
7 following the effective date of this Act shall be allocated in accordance with the
8 savings achieved by each local department of social services and, notwithstanding §
9 7-302 of the State Finance and Procurement Article, any of the savings that remains
10 unexpended after the current fiscal year may be carried over into the next fiscal year;
11 and

12 (3) 45% of the savings to child care, work activities, welfare avoidance,
13 drug treatment for targeted recipients, emergency funds for applicants and
14 recipients, administration to the extent that additional administrative costs are
15 required to effectively implement this program, or any other direct service to
16 applicants or recipients that the Secretary deems appropriate to further the purposes
17 of this Act.]

18 **Chapter 490 of the Acts of 1995**

19 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the
20 General Assembly that [the Child Support Reinvestment Fund should be a
21 cost-neutral program and that any State monies invested in the Fund should be offset
22 by an increase in AFDC child support collections retained by the State] ANY
23 REINVESTMENT FUND EXPENDITURES GENERATE AN INCREASE IN TOTAL CHILD
24 SUPPORT COLLECTIONS EQUIVALENT TO TWICE THE AMOUNT OF INCENTIVE
25 DOLLARS EXPENDED. The Department of Human Resources shall include in its
26 annual budget submission information on the amount of federal dollars realized as a
27 result of the fund.

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

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

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

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

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

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

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

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

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

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

28 **Article - Transportation**

29 13-810.

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

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

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

36 (22) A VEHICLE ACQUIRED BY A RELIGIOUS, CHARITABLE, OR
37 VOLUNTEER ORGANIZATION EXEMPT FROM TAXATION UNDER § 501(C) OF THE

1 INTERNAL REVENUE CODE, THE DEPARTMENT OF HUMAN RESOURCES, OR A LOCAL
 2 DEPARTMENT OF SOCIAL SERVICES FOR THE PURPOSE OF TRANSFERRING THE
 3 VEHICLE TO A FAMILY INVESTMENT PROGRAM RECIPIENT OR AN INDIVIDUAL
 4 CERTIFIED BY THE DEPARTMENT OF HUMAN RESOURCES OR A LOCAL DEPARTMENT
 5 OF SOCIAL SERVICES AS ELIGIBLE FOR THE TRANSFER.

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

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

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

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

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

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

29 (b) The redesign effort shall include:

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

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

33 (3) determining supplemental services;

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

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

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

3 (c) The Department of Labor, Licensing, and Regulation, the Department of
4 Business and Economic Development, the Department of Health and Mental
5 Hygiene, the State Department of Education, and the Maryland Higher Education
6 Commission shall, as requested by the Department of Human Resources:

7 (1) assist the Department of Human Resources to design the new system
8 from the "ground up"; and

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

11 (3) (2) assist the Department of Human Resources in implementing
12 and evaluating the new system where appropriate;

13 (d) The Department of Human Resources shall:

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

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

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

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

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

34 SECTION 6. AND BE IT FURTHER ENACTED, That:

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

- 1 (b) As part of the study, the Department shall examine:
- 2 (1) the cost effectiveness of finger imaging programs in other states;
- 3 (2) the impact on Maryland of surrounding states' establishment of
4 finger imaging programs;
- 5 (3) the impact of finger imaging in comparison to other methods of
6 preventing fraud; ~~and~~
- 7 (4) the feasibility of a procedure for resolving complaints regarding the
8 denial of benefits that pertain to the fraudulent application for, and fraudulent receipt
9 of, Family Investment Program assistance identified through the finger imaging; and
- 10 (4) (5) the projected savings to Maryland through deterrence of
11 fraudulent applications and apprehension of public assistance recipients fraudulently
12 receiving benefits.

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

16 SECTION 7. AND BE IT FURTHER ENACTED, That, notwithstanding §
17 7-310(f)(1) of the State Finance and Procurement Article, the unspent balance of funds
18 appropriated to the Dedicated Purpose Account for the Family Investment Program
19 may not revert to the Revenue Stabilization Account even if those funds are unspent 4
20 years after the end of the fiscal year for which the appropriation was made.

21 SECTION 8. AND BE IT FURTHER ENACTED, That, notwithstanding §
22 7-310(f)(1) of the State Finance and Procurement Article, the unspent balance of funds
23 appropriated to the Dedicated Purpose Account for the Purchase of Child Care
24 Program may not revert to the Revenue Stabilization Account even if those funds are
25 unspent 4 years after the end of the fiscal year for which the appropriation was made.

26 SECTION 4. AND BE IT FURTHER ENACTED, That, on or before September
27 1, 1998, the Secretary of Human Resources shall:

- 28 (1) provide to the General Assembly for its review and comment an
29 implementation plan for the performance incentive program to be established under
30 this Act; and
- 31 (2) include in the implementation plan:
- 32 (i) details on the levels of incentives available;
- 33 (ii) details on the number of employees to be included in the
34 performance incentive program;

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

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

5 ~~SECTION 5. AND BE IT FURTHER ENACTED, That, the Governor, when~~
6 ~~distributing any funds from the welfare to work grant funds received by the State~~
7 ~~under the Balanced Budget Act of 1997 to fund projects to help long term recipients~~
8 ~~of assistance under the Family Investment Program established under Article 88A of~~
9 ~~the Code, or the former Aid to Families with Dependent Children program, to enter~~
10 ~~unsubsidized employment, shall give priority in funding, for at least 20% of the~~
11 ~~welfare to work grant funds from the maximum of 15% allowed under the Balanced~~
12 ~~Budget Act of 1997, to regional projects that involve two or more counties in the State.~~

13 ~~SECTION 6. 7. 9. AND BE IT FURTHER ENACTED, That, at the end of~~
14 ~~December 31, 2000, with no further action required by the General Assembly, Section~~
15 ~~2 of this Act shall be abrogated and of no further force and effect and Section 3 of this~~
16 ~~Act shall take effect.~~

17 ~~SECTION 8. AND BE IT FURTHER ENACTED, That on or before October 1,~~
18 ~~1998, the Secretary of Human Resources shall establish with the Secretary of Labor,~~
19 ~~Licensing, and Regulation and the Superintendent of Education a demonstration~~
20 ~~project in the Glen Burnie Multi Service Center to integrate the physical locations,~~
21 ~~staff, and resources of the Anne Arundel County Department of Social Services Job~~
22 ~~Center, the Job Service, the Unemployment Insurance Office, and the Division of~~
23 ~~Rehabilitation, to improve the efficiency of customer service and reduce duplication of~~
24 ~~services. The Secretary of Human Resources shall report to the Joint Committee on~~
25 ~~Welfare Reform, in accordance with § 2-1246 of the State Government Article, on or~~
26 ~~before December 1, 1998 on the progress of the demonstration project.~~

27 ~~SECTION 7. 8. 9. 10. AND BE IT FURTHER ENACTED, That, subject to the~~
28 ~~provisions of Section 7 9 of this Act, this Act shall take effect June 1, 1998.~~