

SENATE BILL 166

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1999 Regular Session
9lr0712

By: **Senators Conway, Blount, McFadden, Mitchell, Hughes, Pinsky,
DeGrange, Exum, Sfikas, Kelley, Lawlah, Currie, Teitelbaum, Bromwell,
and Kasemeyer**

Introduced and read first time: January 28, 1999
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Youthbuild Act**

3 FOR the purpose of establishing the Maryland Youthbuild Act; providing certain
4 education, employment, and housing opportunities to certain disadvantaged
5 youth; providing certain communities affordable housing; defining certain
6 terms; authorizing the Secretary of Human Resources to make certain grants to
7 carry out the provisions of this Act; establishing a list of services to be provided
8 under this Act; requiring a certain stipend and wage for participation by certain
9 disadvantaged youth under this Act; setting a certain time limitation for
10 participation in this program; establishing certain eligibility requirements for
11 participation by certain disadvantaged youth under this Act; establishing
12 certain eligibility requirements for participation by certain entities under this
13 Act; requiring the Governor to include a certain amount in the annual budget to
14 fund the program; and generally relating to establishing the Maryland
15 Youthbuild Act under the Department of Human Resources.

16 BY adding to
17 Article 88A - Department of Human Resources
18 Section 18 through 25, inclusive, to be under the new subtitle "Maryland
19 Youthbuild Act"
20 Annotated Code of Maryland
21 (1998 Replacement Volume)

22 Preamble

23 WHEREAS, The General Assembly of Maryland declares that it is necessary:

24 (1) To enable economically disadvantaged youth, especially youth who have
25 not finished high school, to obtain the education, job skills training, personal
26 counseling, leadership development skills training, job placement assistance, and
27 long-term follow-up services necessary for them to achieve permanent economic
28 self-sufficiency;

1 (2) To provide valuable community service that addresses urgent community
2 needs, including the demand for affordable housing and the need for young role
3 models and mentors for younger teenagers and children;

4 (3) To provide communities the opportunity to establish or rebuild
5 neighborhood stability in economically depressed and low-income areas, as well as
6 historic areas requiring restoration or preservation;

7 (4) To provide economically disadvantaged youth and youth who have not
8 finished high school an opportunity for meaningful participation in society;

9 (5) To allow communities to expand the supply of affordable housing for
10 homeless and other low-income individuals by utilizing the energies and talents of
11 economically disadvantaged youth who have not graduated from high school; and

12 (6) To foster the development of leadership skills and a commitment to
13 community development among youth; now, therefore,

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

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

17 **MARYLAND YOUTHBUILD ACT**

18 18.

19 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
20 INDICATED.

21 (B) "APPLICANT" MEANS A PUBLIC OR PRIVATE NOT-FOR-PROFIT AGENCY
22 ELIGIBLE TO PROVIDE EDUCATION AND EMPLOYMENT TRAINING UNDER FEDERAL
23 OR STATE EMPLOYMENT TRAINING PROGRAMS.

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

27 (D) "SECRETARY" MEANS THE SECRETARY OF HUMAN RESOURCES.

28 (E) "VERY LOW INCOME" MEANS THE INCOME OF A PERSON OR HOUSEHOLD
29 WHOSE INCOME IS AT OR BELOW 50% OF THE MEDIAN FAMILY INCOME, ADJUSTED
30 FOR HOUSEHOLD SIZE, FOR THE COUNTY WHERE THE HOUSEHOLD IS LOCATED.

31 (F) "YOUTHBUILD" MEANS ANY PROGRAM THAT PROVIDES DISADVANTAGED
32 YOUTH WITH OPPORTUNITIES FOR EMPLOYMENT, EDUCATION, LEADERSHIP
33 DEVELOPMENT, ENTREPRENEURIAL SKILLS DEVELOPMENT, AND TRAINING IN THE
34 CONSTRUCTION OR REHABILITATION OF HOUSING FOR SPECIAL NEED
35 POPULATIONS, VERY LOW-INCOME HOUSEHOLDS, OR LOW-INCOME HOUSEHOLDS.

1 19.

2 THE SECRETARY SHALL:

3 (1) ESTABLISH AND IMPLEMENT, IN COOPERATION WITH THE
4 DIRECTORS OF LOCAL DEPARTMENTS, A YOUTHBUILD PROGRAM THAT MEETS THE
5 REQUIREMENTS OF THIS SUBTITLE AND OF FEDERAL LAW;

6 (2) SUPERVISE THE ADMINISTRATION OF THE YOUTHBUILD PROGRAM
7 UNDER THIS SUBTITLE BY THE LOCAL DEPARTMENTS;

8 (3) MAKE GRANTS TO APPLICANTS FOR THE PURPOSE OF CARRYING OUT
9 YOUTHBUILD PROGRAMS AS APPROVED UNDER THIS SUBTITLE;

10 (4) ENSURE ALL PROGRAMS FUNDED UNDER THIS SUBTITLE REFLECT
11 STRONG YOUTH AND COMMUNITY INVOLVEMENT; AND

12 (5) ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS
13 SUBTITLE.

14 20.

15 (A) FUNDING UNDER THIS SUBTITLE SHALL BE USED BY EACH YOUTHBUILD
16 PROGRAM TO PROVIDE AT A MINIMUM THE FOLLOWING SERVICES:

17 (1) (I) ACQUISITION, REHABILITATION, ACQUISITION AND
18 REHABILITATION, OR CONSTRUCTION OF HOUSING AND RELATED FACILITIES TO BE
19 USED FOR THE PURPOSE OF PROVIDING HOME OWNERSHIP FOR DISADVANTAGED
20 PERSONS;

21 (II) RESIDENTIAL HOUSING FOR HOMELESS INDIVIDUALS AND
22 LOW-INCOME FAMILIES;

23 (III) TRANSITIONAL HOUSING FOR PERSONS WHO ARE HOMELESS,
24 HAVE DISABILITIES, ARE ILL, ARE DEINSTITUTIONALIZED, OR HAVE SPECIAL NEEDS;
25 AND

26 (IV) REHABILITATION OR CONSTRUCTION OF COMMUNITY
27 FACILITIES OWNED BY NOT-FOR-PROFIT OR PUBLIC AGENCIES;

28 (2) INTEGRATED EDUCATION AND JOB SKILLS TRAINING SERVICES AND
29 ACTIVITIES THAT ARE EVENLY DIVIDED WITHIN THE PROGRAM, WITH 50% OF A
30 STUDENT'S TIME SPENT IN CLASSROOM-BASED INSTRUCTION, COUNSELING, AND
31 LEADERSHIP DEVELOPMENT INSTRUCTION, AND 50% OF A STUDENT'S TIME SPENT IN
32 EXPERIMENTAL TRAINING ON THE CONSTRUCTION SITE, AND SHALL INCLUDE AT A
33 MINIMUM, THE FOLLOWING ELEMENTS:

34 (I) AN EDUCATION COMPONENT THAT INCLUDES:

1 (III) DRUG AND ALCOHOL ABUSE EDUCATION AND PREVENTION;

2 (IV) REFERRAL TO APPROPRIATE DRUG REHABILITATION, MEDICAL,
3 MENTAL HEALTH, LEGAL, HOUSING, AND OTHER SERVICES AND RESOURCES IN THE
4 COMMUNITY; AND

5 (V) A MINIMUM COUNSELOR TO PARTICIPANT RATIO OF ONE
6 COUNSELOR TO EVERY 28 STUDENTS;

7 (4) LEADERSHIP DEVELOPMENT TRAINING THAT PROVIDES
8 PARTICIPANTS WITH MEANINGFUL OPPORTUNITIES TO DEVELOP LEADERSHIP
9 SKILLS SUCH AS DECISION MAKING, PROBLEM SOLVING, AND NEGOTIATING; AND
10 ENCOURAGEMENT TO DEVELOP STRONG PEER GROUP TIES THAT SUPPORT THEIR
11 MUTUAL PURSUIT OF SKILLS AND VALUES; AND

12 (5) THE ESTABLISHMENT OF A YOUTH COUNCIL IN WHICH
13 PARTICIPANTS ARE AFFORDED OPPORTUNITIES TO DEVELOP PUBLIC SPEAKING AND
14 NEGOTIATING SKILLS, AND OPPORTUNITIES FOR MANAGEMENT AND
15 POLICY-MAKING PARTICIPATION IN SPECIFIC ASPECTS OF THE PROGRAM.

16 (B) A TRAINING SUBSIDY, LIVING ALLOWANCE, OR STIPEND THAT IS NO LESS
17 THAN MINIMUM WAGE SHALL BE PROVIDED TO PROGRAM PARTICIPANTS FOR THE
18 TIME SPENT AT THE WORKSITE IN CONSTRUCTION TRAINING; AND FOR THOSE
19 PARTICIPANTS WHO RECEIVE PUBLIC ASSISTANCE, THIS TRAINING SUBSIDY, LIVING
20 ALLOWANCE, OR STIPEND SHALL NOT AFFECT THEIR HOUSING BENEFITS, MEDICAL
21 BENEFITS, CHILD CARE BENEFITS, OR FOOD STAMP BENEFITS. STIPENDS AND
22 WAGES MAY BE DISTRIBUTED IN A MANNER THAT OFFERS INCENTIVES FOR GOOD
23 PERFORMANCE.

24 (C) FULL-TIME PARTICIPATION IN A YOUTHBUILD PROGRAM SHALL BE
25 OFFERED FOR A PERIOD OF NOT LESS THAN 6 MONTHS AND NOT EXCEEDING 24
26 MONTHS.

27 (D) (1) A CONCENTRATED EFFORT SHALL BE MADE TO FIND
28 CONSTRUCTION, CONSTRUCTION-RELATED, AND NONCONSTRUCTION JOBS FOR ALL
29 GRADUATES OF THE PROGRAM WHO HAVE PERFORMED WELL.

30 (2) THE SKILLS TRAINING CURRICULUM SHALL PROVIDE PARTICIPANTS
31 WITH BASIC PREPARATION FOR SEEKING AND MAINTAINING A JOB.

32 (3) FOLLOW-UP COUNSELING AND ASSISTANCE IN JOB SEEKING SHALL
33 ALSO BE PROVIDED TO PARTICIPANTS FOR THE 12 MONTHS FOLLOWING
34 GRADUATION FROM THE PROGRAM.

35 (E) ALL PROGRAMS SERVING 28 TRAINEES OR MORE ARE REQUIRED TO HAVE
36 A FULL-TIME DIRECTOR RESPONSIBLE FOR THE COORDINATION OF ALL ASPECTS OF
37 THE YOUTHBUILD PROGRAM.

1 21.

2 (A) IMPLEMENTATION GRANTS MAY BE USED:

3 (1) TO CARRY OUT THE ACTIVITIES LISTED IN § 20 OF THIS SUBTITLE;

4 (2) FOR LEGAL FEES FOR HOUSING ACQUISITION;

5 (3) FOR ADMINISTRATIVE COSTS OF THE APPLICANT WHICH MAY NOT
6 EXCEED 15% OF THE AMOUNT OF ASSISTANCE PROVIDED, OR SUCH HIGHER
7 PERCENTAGE AS THE SECRETARY DETERMINES IS NECESSARY TO SUPPORT
8 CAPACITY DEVELOPMENT OF A PRIVATE, NONPROFIT COMMUNITY-BASED
9 ORGANIZATION; AND

10 (4) FOR DEFRAYING COSTS FOR THE ONGOING TRAINING AND
11 TECHNICAL ASSISTANCE NEEDS OF THE RECIPIENT THAT ARE RELATED TO
12 DEVELOPING AND CARRYING OUT THE YOUTHBUILD PROGRAM.

13 (B) THE SECRETARY MAY RESERVE UP TO 5% OF THE MARYLAND
14 YOUTHBUILD PROGRAM APPROPRIATIONS TO ENTER INTO A CONTRACT WITH
15 YOUTHBUILD USA TO PROVIDE ASSISTANCE TO THE SECRETARY IN THE PROVISION
16 OF TRAINING AND TECHNICAL ASSISTANCE, AND IN THE MANAGEMENT,
17 SUPERVISION, AND COORDINATION OF YOUTHBUILD PROGRAMS UNDER THIS ACT.

18 22.

19 (A) ELIGIBLE PARTICIPANTS ARE YOUTHS 16 TO 24 YEARS OLD WHO ARE
20 ECONOMICALLY DISADVANTAGED AS DEFINED UNDER TITLE 29, SECTION 1503 OF
21 THE UNITED STATES CODE AND WHO ARE PART OF ONE OF THE FOLLOWING
22 GROUPS:

23 (1) INDIVIDUALS WHO ARE NOT ATTENDING ANY SCHOOL AND HAVE
24 NOT RECEIVED A SECONDARY SCHOOL DIPLOMA OR ITS EQUIVALENT;

25 (2) INDIVIDUALS CURRENTLY ENROLLED IN A TRADITIONAL OR
26 ALTERNATIVE SCHOOL SETTING OR GED PROGRAM AND WHO ARE IN DANGER OF
27 DROPPING OUT OF SCHOOL; OR

28 (3) VERY LOW-INCOME INDIVIDUALS.

29 (B) UP TO 25% OF THE PARTICIPANTS IN THE PROGRAM MAY BE INDIVIDUALS
30 WHO DO NOT MEET THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION, BUT
31 WHO HAVE EDUCATIONAL NEEDS DESPITE THE ATTAINMENT OF A HIGH SCHOOL
32 DIPLOMA.

33 23.

34 (A) (1) PRIORITY IN THE AWARDING OF FUNDS UNDER THIS ACT SHALL BE
35 GIVEN TO APPLICANTS WITH EXPERIENCE IN OPERATING YOUTHBUILD PROGRAMS.

1 (2) ORGANIZATIONS CLAIMING TO HAVE OPERATED YOUTHBUILD
2 PROGRAMS MUST BE LICENSED BY YOUTHBUILD USA OR BE ORGANIZATIONS THAT
3 HAVE RECEIVED FEDERAL HUD YOUTHBUILD FUNDING.

4 (B) THOSE ELIGIBLE TO BE AWARDED FUNDS UNDER THIS ACT ARE
5 NOT-FOR-PROFIT PRIVATE AGENCIES, OR PUBLIC AGENCIES WITH EXPERIENCE
6 OPERATING A YOUTHBUILD PROGRAM WITH A PLAN TO INCUBATE A YOUTHBUILD
7 PROGRAM UNTIL IT CAN BE ESTABLISHED AS A NOT-FOR-PROFIT PRIVATE AGENCY.

8 (C) THE SECRETARY SHALL REQUIRE THAT AN APPLICATION FOR
9 YOUTHBUILD FUNDS UNDER THIS ACT CONTAIN AT A MINIMUM:

10 (1) A REQUEST FOR AN IMPLEMENTATION GRANT, SPECIFYING THE
11 AMOUNT OF THE GRANT REQUESTED AND ITS PROPOSED USES;

12 (2) A DESCRIPTION OF THE APPLICANT AND A STATEMENT OF ITS
13 QUALIFICATIONS, INCLUDING A DESCRIPTION OF THE APPLICANT'S PAST
14 EXPERIENCE RUNNING A YOUTHBUILD PROGRAM, AND WITH HOUSING
15 REHABILITATION OR CONSTRUCTION AND WITH YOUTH AND YOUTH EDUCATION,
16 YOUTH LEADERSHIP DEVELOPMENT AND EMPLOYMENT TRAINING PROGRAMS AND
17 ITS RELATIONSHIP WITH LOCAL UNIONS AND YOUTH APPRENTICESHIP PROGRAMS
18 AND OTHER COMMUNITY GROUPS;

19 (3) A DESCRIPTION OF THE PROPOSED CONSTRUCTION SITE FOR THE
20 PROGRAM AND EVIDENCE OF SITE CONTROL;

21 (4) A DESCRIPTION OF THE EDUCATIONAL AND JOB TRAINING
22 ACTIVITIES, WORK OPPORTUNITIES, AND OTHER SERVICES THAT WILL BE PROVIDED
23 TO PARTICIPANTS;

24 (5) A DESCRIPTION OF THE PROPOSED CONSTRUCTION OR
25 REHABILITATION ACTIVITIES TO BE UNDERTAKEN AND THE ANTICIPATED
26 SCHEDULE FOR CARRYING OUT THE ACTIVITIES;

27 (6) A DESCRIPTION OF THE MANNER IN WHICH ELIGIBLE YOUTHS WILL
28 BE RECRUITED AND SELECTED, INCLUDING A DESCRIPTION OF THE ARRANGEMENTS
29 WHICH WILL BE MADE WITH COMMUNITY-BASED ORGANIZATIONS, LOCAL
30 EDUCATION AGENCIES, INCLUDING AGENCIES OF NATIVE AMERICAN NATIONS,
31 PUBLIC ASSISTANCE AGENCIES, THE COURTS OF JURISDICTION FOR JUVENILE
32 CAUSES, SHELTERS FOR HOMELESS YOUTH, FOSTER CARE AGENCIES, AND OTHER
33 APPROPRIATE PUBLIC AND PRIVATE AGENCIES;

34 (7) A DESCRIPTION OF THE SPECIAL EFFORTS THAT WILL BE
35 UNDERTAKEN TO RECRUIT ELIGIBLE YOUNG WOMEN, INCLUDING YOUNG WOMEN
36 WITH DEPENDENT CHILDREN, WITH APPROPRIATE SUPPORTS, ESPECIALLY CHILD
37 CARE SUPPORTS;

38 (8) A DESCRIPTION OF HOW THE PROPOSED PROGRAM WILL BE
39 COORDINATED WITH OTHER FEDERAL, STATE, AND LOCAL ACTIVITIES AND
40 ACTIVITIES CONDUCTED BY NATIVE AMERICAN NATIONS, INCLUDING PUBLIC

1 SCHOOLS, NATIONAL SERVICE, CRIME PREVENTION PROGRAMS, VOCATION, ADULT,
2 AND BILINGUAL EDUCATION PROGRAMS, AND JOB TRAINING;

3 (9) AN ASSURANCE THAT THERE WILL BE A SUFFICIENT NUMBER OF
4 ADEQUATELY TRAINED SUPERVISORY PERSONNEL IN THE PROGRAM;

5 (10) A DESCRIPTION OF THE APPLICANT'S RELATIONSHIP WITH ANY
6 LOCAL BUILDING TRADE UNIONS WHICH MAY EXIST REGARDING THEIR
7 INVOLVEMENT IN TRAINING, AND THE RELATIONSHIP OF THE YOUTHBUILD
8 PROGRAM WITH ESTABLISHED APPRENTICESHIP PROGRAMS;

9 (11) A DESCRIPTION OF ACTIVITIES THAT WILL BE UNDERTAKEN TO
10 DEVELOP THE LEADERSHIP SKILLS OF PARTICIPANTS, INCLUDING THEIR ROLE IN
11 DECISION MAKING;

12 (12) A DETAILED BUDGET AND DESCRIPTION OF THE SYSTEM OF FISCAL
13 CONTROLS AND AUDITING AND ACCOUNTABILITY PROCEDURES THAT WILL BE USED
14 TO ENSURE FISCAL SOUNDNESS;

15 (13) A DESCRIPTION OF ANY CONTRACTS AND ARRANGEMENTS ENTERED
16 INTO BETWEEN THE APPLICANT AND OTHER AGENCIES AND ENTITIES INCLUDING
17 ALL IN KIND DONATIONS AND GRANTS FROM BOTH PUBLIC AND PRIVATE ENTITIES
18 THAT WILL SERVE TO AUGMENT MARYLAND YOUTHBUILD ACT FUNDS;

19 (14) AN IDENTIFICATION AND DESCRIPTION OF THE FINANCING
20 PROPOSED FOR ANY:

21 (I) ACQUISITION OF PROPERTY;

22 (II) REHABILITATION; OR

23 (III) CONSTRUCTION;

24 (15) AN IDENTIFICATION AND DESCRIPTION OF THE ENTITY THAT WILL
25 OPERATE AND MANAGE THE PROPERTY;

26 (16) A CERTIFICATION THAT THE APPLICANT WILL COMPLY WITH THE
27 REQUIREMENTS OF THE FAIR HOUSING ACT, TITLE VI OF THE CIVIL RIGHTS ACT OF
28 1964, SECTION 504 OF THE REHABILITATION ACT OF 1973, AND THE AGE
29 DISCRIMINATION ACT OF 1975, AND WILL AFFIRMATIVELY FURTHER FAIR HOUSING;
30 AND

31 (17) THE QUALIFICATIONS AND PAST EXPERIENCE OF THE PERSON WHO
32 WILL FILL THE FULL-TIME PROGRAM SECRETARY POSITION.

33 24.

34 THE GOVERNOR SHALL INCLUDE IN THE ANNUAL STATE BUDGET AT LEAST
35 \$850,000 FOR GRANTS FOR YOUTHBUILD PROGRAMS UNDER THIS SUBTITLE.

1 25.

2 THIS ACT MAY BE CITED AS THE MARYLAND YOUTHBUILD ACT.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 1999.