

HOUSE BILL 1160

Unofficial Copy  
O1

2000 Regular Session  
Olr1520  
CF 0lr1519

---

By: **Delegates Rosenberg, Branch, Klima, R. Baker, Pitkin, Flanagan, and Cadden**

Introduced and read first time: February 11, 2000

Assigned to: Appropriations

---

A BILL ENTITLED

1 AN ACT concerning

2 **Welfare Innovation Act of 2000**

3 FOR the purpose of authorizing the Secretary of Human Resources to establish a  
4 certain number of demonstration sites under the Family Investment Program;  
5 requiring the Secretary of Human Resources to appoint a director of each  
6 demonstration site; granting the Secretary of Human Resources certain  
7 authority in a demonstration site; requiring that employees hired at a  
8 demonstration site be placed in the management service or in special  
9 appointments in the State Personnel Management System; providing for an  
10 exception to that placement for a limited period; requiring the Secretary to  
11 establish a performance incentive program to pay employees in a demonstration  
12 site; providing for certain statutory construction; altering the model hiring  
13 agreement used by the Secretary of Human Resources under the Program to  
14 allow priority hiring to positions that are not entry-level positions; requiring the  
15 Secretary of Human Resources to work with local governments in the recruiting  
16 and hiring of Program recipients into local government positions; requiring the  
17 Secretary of Human Resources to report on these efforts to certain committees of  
18 the General Assembly by a certain date; defining a certain term; and generally  
19 relating to improving the level of jobs, and access to those jobs for Family  
20 Investment Program recipients and to demonstration programs under the  
21 Family Investment Program.

22 BY repealing and reenacting, with amendments,  
23 Article 88A - Department of Human Resources  
24 Section 46  
25 Annotated Code of Maryland  
26 (1998 Replacement Volume and 1999 Supplement)

27 BY adding to  
28 Article 88A - Department of Human Resources  
29 Section 55  
30 Annotated Code of Maryland  
31 (1998 Replacement Volume and 1999 Supplement)

1 BY repealing and reenacting, with amendments,  
2 Article - State Finance and Procurement  
3 Section 13-224  
4 Annotated Code of Maryland  
5 (1995 Replacement Volume and 1999 Supplement)

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

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

9 46.

10 (A) The Secretary shall:

11 (1) Establish and implement a FIP that meets the requirements of this  
12 subtitle and of federal law;

13 (2) Supervise the administration of the FIP under this subtitle by local  
14 departments;

15 (3) Cooperate with the federal government in matters of mutual concern  
16 pertaining to federal funding for the FIP; and

17 (4) Adopt regulations necessary or desirable to carry out the provisions  
18 of this subtitle.

19 (B) (1) THE SECRETARY OF HUMAN RESOURCES SHALL DEVELOP AND  
20 IMPLEMENT A PLAN, WORKING WITH APPROPRIATE LOCAL GOVERNMENT  
21 OFFICIALS, UNDER WHICH LOCAL GOVERNMENTS WOULD HIRE FIP RECIPIENTS TO  
22 WORK IN LOCAL GOVERNMENT.

23 (2) COMPONENTS OF ANY LOCAL GOVERNMENT HIRING PLAN  
24 DEVELOPED BY THE SECRETARY SHALL INCLUDE, FOR EACH JURISDICTION:

25 (I) AN INDICATION OF THE UNITS THAT COULD MOST EASILY HIRE  
26 FIP RECIPIENTS;

27 (II) THE EMPLOYMENT POSITIONS MOST SUITABLE FOR FIP  
28 RECIPIENTS;

29 (III) PROPOSALS FOR RECRUITING FIP RECIPIENTS;

30 (IV) EMPLOYMENT RETENTION STRATEGIES; AND

31 (V) A TARGET NUMBER OF FIP RECIPIENTS TO BE RECRUITED.

32 (3) ON OR BEFORE NOVEMBER 1 OF EACH YEAR, THE SECRETARY OF  
33 HUMAN RESOURCES, THE MARYLAND ASSOCIATION OF COUNTIES, AND THE  
34 MARYLAND MUNICIPAL LEAGUE SHALL REPORT, SUBJECT TO § 2-1246 OF THE STATE

1 GOVERNMENT ARTICLE, TO THE SENATE FINANCE COMMITTEE AND THE HOUSE  
2 APPROPRIATIONS COMMITTEE OF THE GENERAL ASSEMBLY, ON:

3 (I) THE DEVELOPMENT OF THE PLAN ENCOURAGED UNDER THIS  
4 PARAGRAPH; AND

5 (II) THE NUMBER OF WELFARE RECIPIENTS HIRED AND RETAINED  
6 BY LOCAL GOVERNMENTS.

7 55.

8 (A) IN THIS SECTION, "DEMONSTRATION SITE" MEANS A SITE SELECTED BY  
9 THE SECRETARY, IN CONSULTATION WITH THE DIRECTOR OF THE LOCAL UNIT OF  
10 THE JURISDICTION.

11 (B) THE SECRETARY MAY ESTABLISH A FIP DEMONSTRATION SITE IN AT  
12 LEAST ONE, BUT NOT EXCEEDING SIX, JURISDICTION.

13 (C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE SECRETARY  
14 SHALL APPOINT A DIRECTOR OF THE FIP ESTABLISHED IN A DEMONSTRATION SITE  
15 WHO SHALL REPORT DIRECTLY TO THE EXECUTIVE DIRECTOR OF THE FAMILY  
16 INVESTMENT ADMINISTRATION OF THE DEPARTMENT.

17 (D) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE SECRETARY  
18 SHALL HAVE SOLE AUTHORITY OVER FIP FUNCTIONS IN A DEMONSTRATION SITE,  
19 INCLUDING THE AUTHORITY TO:

20 (1) ASSIST FAMILIES ON WELFARE THAT HAVE AN EMPLOYABLE  
21 PARENT TOWARD A LASTING EXIT FROM TEMPORARY CASH ASSISTANCE;

22 (2) ENSURE THAT INDIVIDUALS AND FAMILIES RECEIVE APPROPRIATE  
23 BENEFITS;

24 (3) REDUCE ERRORS IN THE ADMINISTRATION OF FIP;

25 (4) PLACE TEMPORARY CASH ASSISTANCE RECIPIENTS IN EMPLOYMENT  
26 IN WHICH THEIR EARNINGS WILL LIKELY INCREASE; AND

27 (5) IMPROVE THE TYPES OF EMPLOYMENT AND EMPLOYMENT  
28 RETENTION RATES OF EXISTING AND FORMER WELFARE RECIPIENTS.

29 (E) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION AND  
30 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL EMPLOYEES HIRED IN A  
31 DEMONSTRATION SITE AFTER ITS DESIGNATION AS A DEMONSTRATION SITE SHALL  
32 BE PLACED IN THE MANAGEMENT SERVICE OR IN SPECIAL APPOINTMENTS IN THE  
33 STATE PERSONNEL MANAGEMENT SYSTEM.

34 (2) (I) IF A POSITION IN A DEMONSTRATION SITE IS HELD BY A  
35 SKILLED SERVICE OR PROFESSIONAL SERVICE EMPLOYEE PRIOR TO ITS  
36 DESIGNATION AS A DEMONSTRATION SITE, THE POSITION SHALL REMAIN A SKILLED

1 SERVICE OR PROFESSIONAL SERVICE POSITION OR ITS EQUIVALENT IN THE STATE  
2 PERSONNEL MANAGEMENT SYSTEM UNTIL THE POSITION BECOMES VACANT.

3 (II) AFTER A SKILLED SERVICE OR PROFESSIONAL SERVICE  
4 POSITION IN A DEMONSTRATION SITE BECOMES VACANT, THE POSITION SHALL  
5 BECOME A MANAGEMENT SERVICE OR SPECIAL APPOINTMENTS POSITION.

6 (F) THE SECRETARY SHALL ESTABLISH A PERFORMANCE INCENTIVE  
7 PROGRAM TO PROVIDE PAY INCENTIVES FOR EMPLOYEES IN A DEMONSTRATION  
8 SITE.

9 (G) THE SECRETARY'S POWERS UNDER THIS SECTION SHALL BE GIVEN A  
10 LIBERAL CONSTRUCTION.

11 **Article - State Finance and Procurement**

12 13-224.

13 (a) (1) In this section the following words have the meanings indicated.

14 (2) "Department" means the Department of Human Resources.

15 (3) "Eligible contract" means a procurement contract designated by the  
16 Board as appropriate for the execution of a hiring agreement.

17 (4) "FIP" means the Family Investment Program established under  
18 Article 88A of the Code.

19 (5) "Hiring agreement" means an agreement entered into by the  
20 Department or a local department and an entity doing business with the State under  
21 which the Department or the local department and the entity agree to work  
22 cooperatively in endeavoring to identify and hire FIP recipients to fill [entry-level]  
23 job openings of the entity.

24 (6) "Local department" means a local department of social services in a  
25 county or in Baltimore City created or continued under the provisions of Article 88A,  
26 § 13 of the Code.

27 (b) On or before October 1, 1998, the Board, in consultation with the  
28 Department, shall designate the types of procurement contracts that are eligible  
29 contracts.

30 (c) (1) On or before December 1, 1998, the Department shall develop a  
31 model hiring agreement form that shall be completed by the Department or a local  
32 department and an entity in conjunction with the award of an eligible contract.

33 (2) The model hiring agreement form shall include the following  
34 provisions:

35 (i) the entity will:

- 1                                   1.       inform the Department or the local department, as  
2 appropriate, of all of the entity's [entry-level] job openings;
- 3                                   2.       declare the Department or the local department, as  
4 appropriate, its "first source" in identifying and hiring candidates to fill those  
5 [entry-level] job openings;
- 6                                   3.       work cooperatively with the Department or the local  
7 department, as appropriate, to develop any necessary training programs that will  
8 enable FIP recipients in qualifying for and securing the [entry-level] positions;
- 9                                   4.       give first preference and first consideration to the extent  
10 permitted by law and any existing labor agreements to candidates referred to the  
11 entity by the Department or the local department, as appropriate;
- 12                                  5.       agree to give candidates referred to the entity by the  
13 Department or the local department, as appropriate, priority in the filling of [an  
14 entry-level] A JOB opening if the candidate meets the qualifications of the position;
- 15                                  6.       provide the Department or the local department, as  
16 appropriate, with information on the disposition of all referrals made by the  
17 Department or the local department, as appropriate, including an explanation of why  
18 any such candidate was not hired or considered qualified;
- 19                                  7.       provide the Department or the local department, as  
20 appropriate, with information regarding the progress and employment status of those  
21 candidates referred by the Department or the local department, as appropriate, that  
22 the entity hired; and
- 23                                  8.       designate a specific individual that the Department or the  
24 local department, as appropriate, may contact in regard to the provisions of the hiring  
25 agreement; and
- 26                                  (ii)     the Department or the local department, as appropriate, will  
27 assign an account representative to the entity who will:
  - 28                                   1.       receive and process all of the entity's job notifications;
  - 29                                   2.       refer only screened and qualified candidates to the entity;
  - 30                                   3.       assist in the development of any mutually agreed upon  
31 training programs, internship programs, or both that will better prepare FIP  
32 recipients for employment with the entity;
  - 33                                   4.       arrange follow-up and post-hire transitional/supportive  
34 services, such as child care and transportation, as necessary and appropriate; and
  - 35                                   5.       review and evaluate the effectiveness of the hiring  
36 agreement with the entity and make modifications in the agreement as necessary and  
37 appropriate.

1 (d) Each year, the Department and any local departments that have entered  
2 into hiring agreements shall submit a report to the Board, the Joint Committee on  
3 Welfare Reform, and, subject to § 2-1246 of the State Government Article, the  
4 General Assembly on:

5 (1) the number of hiring agreements executed;

6 (2) the number of FIP recipients hired by an entity with which a hiring  
7 agreement was executed; and

8 (3) the effectiveness of each hiring agreement in obtaining employment  
9 for FIP recipients.

10 SECTION 2. AND BE IT FURTHER ENACTED, That the Secretary of Human  
11 Resources shall report, subject to § 2-1246 of the State Government Article, to the  
12 Senate Finance Committee and the House Appropriations Committee of the General  
13 Assembly on or before November 1, 2000, on the Secretary's efforts, under Article 88A,  
14 § 46(b)(1) of the Code as enacted by this Act, to develop a plan for recruiting and  
15 hiring welfare recipients into local government jobs.

16 The Secretary's report shall be made with the cooperation and input of the  
17 Maryland Association of Counties and the Maryland Municipal League.

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 July 1, 2000.