

SENATE BILL 517
EMERGENCY BILL

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SB 166/99 - FIN

2000 Regular Session
0lr1718
CF 0lr2393

By: **Senators Conway, Currie, Teitelbaum, Dyson, Exum, Sfikas, Lawlah,
Mitchell, McFadden, Frosh, and Pinsky**

Introduced and read first time: February 4, 2000

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, job skills training, counseling, and leadership development training
5 opportunities to certain disadvantaged youth; requiring funds for a Youthbuild
6 program to be used for certain services; defining certain terms; authorizing the
7 Secretary of Housing and Community Development to make certain grants to
8 carry out the provisions of this Act; requiring the Secretary of Human Resources
9 to establish and implement the Maryland Youthbuild program under certain
10 circumstances; establishing a list of services to be provided under this Act;
11 requiring a certain stipend and wage for participation by certain disadvantaged
12 youth under this Act; setting a certain time limitation for participation in this
13 program; establishing certain eligibility requirements for participation by
14 certain disadvantaged youth under this Act; establishing certain eligibility
15 requirements for participation by certain entities under this Act; making this
16 Act an emergency measure; and generally relating to establishing the Maryland
17 Youthbuild Act under the Department of Housing and Community Development.

18 BY adding to
19 Article 83B - Department Housing and Community Development
20 Section 14-101 through 14-108, inclusive, to be under the new title "Title 14.
21 Maryland Youthbuild Act"
22 Annotated Code of Maryland
23 (1998 Replacement Volume and 1999 Supplement)

24 **Preamble**

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

26 (1) To enable economically disadvantaged youth, especially youth who have
27 not finished high school, to obtain the education, job skills training, personal
28 counseling, leadership development skills training, job placement assistance, and
29 long-term follow-up services necessary for them to achieve permanent economic
30 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 83B - Department of Housing and Community Development**

17 TITLE 14. MARYLAND YOUTHBUILD ACT.

18 14-101.

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

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

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

26 (D) "SECRETARY" MEANS THE SECRETARY OF THE DEPARTMENT OF HOUSING
27 AND COMMUNITY DEVELOPMENT.

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 14-102.

2 (A) THE SECRETARY SHALL:

3 (1) MAKE GRANTS TO APPLICANTS FOR THE PURPOSE OF CARRYING OUT
4 YOUTHBUILD PROGRAMS AS APPROVED UNDER THIS TITLE; AND

5 (2) ENSURE ALL PROGRAMS FUNDED UNDER THIS TITLE REFLECT
6 STRONG YOUTH AND COMMUNITY INVOLVEMENT.

7 (B) THE SECRETARY OF HUMAN RESOURCES SHALL:

8 (1) ESTABLISH AND IMPLEMENT, IN COOPERATION WITH THE
9 DIRECTORS OF LOCAL DEPARTMENTS, A YOUTHBUILD PROGRAM THAT MEETS THE
10 REQUIREMENTS OF THIS TITLE;

11 (2) SUPERVISE THE ADMINISTRATION OF THE YOUTHBUILD PROGRAM
12 UNDER THIS TITLE BY THE LOCAL DEPARTMENTS;

13 (3) EVALUATE THE PERFORMANCE OF A PROGRAM FUNDED UNDER
14 THIS TITLE; AND

15 (4) ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS
16 TITLE.

17 14-103.

18 (A) FUNDING UNDER THIS TITLE SHALL BE USED BY EACH YOUTHBUILD
19 PROGRAM TO PROVIDE AT A MINIMUM THE FOLLOWING SERVICES:

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

24 (II) REHABILITATION OR CONSTRUCTION OF COMMUNITY
25 FACILITIES OWNED BY NOT-FOR-PROFIT OR PUBLIC AGENCIES;

26 (2) INTEGRATED EDUCATION AND JOB SKILLS TRAINING SERVICES AND
27 ACTIVITIES THAT ARE EVENLY DIVIDED WITHIN THE PROGRAM, WITH 50% OF A
28 STUDENT'S TIME SPENT IN CLASSROOM-BASED INSTRUCTION, COUNSELING, AND
29 LEADERSHIP DEVELOPMENT INSTRUCTION, AND 50% OF A STUDENT'S TIME SPENT IN
30 EXPERIENTIAL TRAINING ON THE CONSTRUCTION SITE;

31 (3) COUNSELING SERVICES DESIGNED TO ASSIST PARTICIPANTS TO
32 POSITIVELY PARTICIPATE IN SOCIETY; AND

33 (4) LEADERSHIP DEVELOPMENT TRAINING THAT PROVIDES
34 PARTICIPANTS WITH MEANINGFUL OPPORTUNITIES TO DEVELOP LEADERSHIP
35 SKILLS SUCH AS DECISION MAKING, PROBLEM SOLVING, AND NEGOTIATING; AND

1 ENCOURAGEMENT TO DEVELOP STRONG PEER GROUP TIES THAT SUPPORT THEIR
2 MUTUAL PURSUIT OF SKILLS AND VALUES.

3 (B) (1) A TRAINING SUBSIDY, LIVING ALLOWANCE, OR STIPEND THAT IS NO
4 LESS THAN MINIMUM WAGE SHALL BE PROVIDED TO PROGRAM PARTICIPANTS FOR
5 THE TIME SPENT AT THE WORKSITE IN CONSTRUCTION TRAINING; AND FOR THOSE
6 PARTICIPANTS WHO RECEIVE PUBLIC ASSISTANCE, THIS TRAINING SUBSIDY, LIVING
7 ALLOWANCE, OR STIPEND SHALL NOT AFFECT THEIR HOUSING BENEFITS, MEDICAL
8 BENEFITS, CHILD CARE BENEFITS, OR FOOD STAMP BENEFITS.

9 (2) TRAINING SUBSIDIES, LIVING ALLOWANCES, AND STIPENDS MAY BE
10 DISTRIBUTED IN A MANNER THAT OFFERS INCENTIVES FOR GOOD PERFORMANCE.

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

14 (D) A PROGRAM FUNDED UNDER THIS TITLE SHALL ASSIST GRADUATES IN
15 OBTAINING JOBS, PARTICULARLY JOBS IN THE CONSTRUCTION FIELD.

16 14-104.

17 (A) IMPLEMENTATION GRANTS MAY BE USED:

18 (1) TO CARRY OUT THE ACTIVITIES LISTED IN § 14-103 OF THIS TITLE;

19 (2) FOR LEGAL FEES FOR HOUSING ACQUISITION;

20 (3) FOR ADMINISTRATIVE COSTS OF THE PROGRAM WHICH MAY NOT
21 EXCEED 15% OF THE AMOUNT OF ASSISTANCE PROVIDED, OR SUCH HIGHER
22 PERCENTAGE AS THE SECRETARY DETERMINES IS NECESSARY TO SUPPORT
23 CAPACITY DEVELOPMENT OF A PRIVATE, NONPROFIT COMMUNITY-BASED
24 ORGANIZATION; AND

25 (4) FOR STAFF TRAINING AND TECHNICAL ASSISTANCE RELATED TO
26 DEVELOPING AND CARRYING OUT THE YOUTHBUILD PROGRAM.

27 (B) THE SECRETARY MAY RESERVE UP TO 5% OF THE MARYLAND
28 YOUTHBUILD PROGRAM APPROPRIATIONS TO ENTER INTO A CONTRACT WITH
29 YOUTHBUILD USA TO PROVIDE ASSISTANCE TO THE SECRETARY OF HUMAN
30 RESOURCES IN THE PROVISION OF TRAINING AND TECHNICAL ASSISTANCE, AND IN
31 THE MANAGEMENT, SUPERVISION, AND COORDINATION OF YOUTHBUILD PROGRAMS
32 UNDER THIS ACT.

33 14-105.

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

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

3 (2) INDIVIDUALS CURRENTLY ENROLLED IN A TRADITIONAL OR
4 ALTERNATIVE SCHOOL SETTING OR GED PROGRAM AND WHO ARE IN DANGER OF
5 DROPPING OUT OF SCHOOL; OR

6 (3) VERY LOW-INCOME INDIVIDUALS.

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

11 14-106.

12 (A) PRIORITY IN THE AWARDING OF FUNDS UNDER THIS ACT SHALL BE GIVEN
13 TO APPLICANTS WITH EXPERIENCE IN OPERATING YOUTHBUILD PROGRAMS,
14 THROUGH EITHER A YOUTHBUILD USA LICENSE OR FEDERAL HUD YOUTHBUILD
15 FUNDING.

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

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

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

24 (2) A DESCRIPTION OF THE APPLICANT AND QUALIFICATIONS,
25 INCLUDING THE APPLICANT'S:

26 (I) EXPERIENCE OPERATING A YOUTHBUILD PROGRAM;

27 (II) EXPERIENCE WITH HOUSING REHABILITATION OR
28 CONSTRUCTION;

29 (III) EXPERIENCE WITH YOUTH, YOUTH EDUCATION, AND YOUTH
30 LEADERSHIP DEVELOPMENT PROGRAMS;

31 (IV) EXPERIENCE WITH EMPLOYMENT TRAINING PROGRAMS; AND

32 (V) RELATIONSHIP WITH LOCAL UNIONS, YOUTH APPRENTICESHIP
33 PROGRAMS, AND OTHER COMMUNITY GROUPS;

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

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

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

7 (6) A DESCRIPTION OF THE NUMBER OF ELIGIBLE YOUTHS TO BE
8 SERVED IN THE PROGRAM DURING THE GRANT PERIOD;

9 (7) A DESCRIPTION OF THE MANNER IN WHICH ELIGIBLE YOUTHS WILL
10 BE RECRUITED AND SELECTED;

11 (8) A DESCRIPTION OF THE SPECIAL EFFORTS THAT WILL BE
12 UNDERTAKEN TO RECRUIT ELIGIBLE YOUNG WOMEN, INCLUDING YOUNG WOMEN
13 WITH DEPENDENT CHILDREN, AND TO PROVIDE YOUNG WOMEN WITH APPROPRIATE
14 SUPPORTS, ESPECIALLY CHILD CARE SUPPORTS;

15 (9) A DESCRIPTION OF HOW THE PROPOSED PROGRAM WILL BE
16 COORDINATED WITH OTHER FEDERAL, STATE, AND LOCAL ACTIVITIES RELATING TO
17 EDUCATION, PUBLIC ASSISTANCE, SOCIAL SERVICES, THE JUDICIAL SYSTEM,
18 NATIONAL SERVICE, CRIME PREVENTION, AND JOB TRAINING;

19 (10) AN ASSURANCE THAT THERE WILL BE A SUFFICIENT NUMBER OF
20 ADEQUATELY TRAINED SUPERVISORY PERSONNEL IN THE PROGRAM;

21 (11) A DESCRIPTION OF THE APPLICANT'S RELATIONSHIP WITH ANY
22 LOCAL BUILDING TRADE UNIONS WHICH MAY EXIST REGARDING THEIR
23 INVOLVEMENT IN TRAINING, AND THE RELATIONSHIP OF THE YOUTHBUILD
24 PROGRAM WITH ESTABLISHED APPRENTICESHIP PROGRAMS;

25 (12) A DESCRIPTION OF ACTIVITIES THAT WILL BE UNDERTAKEN TO
26 DEVELOP THE LEADERSHIP SKILLS OF PARTICIPANTS, INCLUDING THEIR ROLE IN
27 DECISION MAKING;

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

31 (14) A DESCRIPTION OF ANY CONTRACTS AND ARRANGEMENTS ENTERED
32 INTO BETWEEN THE APPLICANT AND OTHER AGENCIES AND ENTITIES INCLUDING
33 ALL IN KIND DONATIONS AND GRANTS FROM BOTH PUBLIC AND PRIVATE ENTITIES
34 THAT WILL SERVE TO AUGMENT MARYLAND YOUTHBUILD ACT FUNDS;

35 (15) AN IDENTIFICATION AND DESCRIPTION OF THE FINANCING
36 PROPOSED FOR ANY:

37 (I) ACQUISITION OF PROPERTY;

1 (II) REHABILITATION; OR

2 (III) CONSTRUCTION;

3 (16) AN IDENTIFICATION AND DESCRIPTION OF THE ENTITY THAT WILL
4 OPERATE AND MANAGE THE PROPERTY;

5 (17) A CERTIFICATION THAT THE APPLICANT WILL COMPLY WITH THE
6 REQUIREMENTS OF THE FAIR HOUSING ACT, TITLE VI OF THE CIVIL RIGHTS ACT OF
7 1964, SECTION 504 OF THE REHABILITATION ACT OF 1973, AND THE AGE
8 DISCRIMINATION ACT OF 1975, AND WILL AFFIRMATIVELY FURTHER FAIR HOUSING;
9 AND

10 (18) IF APPLICABLE, THE QUALIFICATIONS AND PAST EXPERIENCE OF
11 THE PERSON WHO WILL FILL THE FULL-TIME DIRECTOR POSITION.

12 14-107.

13 THE SECRETARY SHALL AWARD GRANTS TO YOUTHBUILD PROGRAMS MEETING
14 THE REQUIREMENTS OF THIS SUBTITLE AS PROVIDED IN THE STATE BUDGET.

15 14-108.

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

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
18 measure, is necessary for the immediate preservation of the public health and safety,
19 has been passed by a ye and nay vote supported by three-fifths of all the members
20 elected to each of the two Houses of the General Assembly, and shall take effect from
21 the date it is enacted.