
By: **Senators Pinsky and Lawlah**
Introduced and read first time: February 4, 2000
Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **State Finance and Procurement - Job Quality Disclosure Forms - Recipients**
3 **of Public Funding**

4 FOR the purpose of requiring a recipient of certain public funding to file a certain job
5 quality disclosure form with the Commissioner of Labor and Industry by a
6 certain date each year; specifying the information to be provided on a job quality
7 disclosure form; requiring the Commissioner to send a certain notice regarding
8 recipients of public funding that have failed to file a job quality disclosure form;
9 requiring the Commissioner to mail a notice of noncompliance to certain
10 recipients of public funding under certain circumstances; requiring certain State
11 programs and units of State government to suspend the allocation or grant of
12 public funding to recipients of public funding that have failed to file a job quality
13 disclosure form; authorizing State programs and units of State government to
14 terminate the allocation or grant of public funding to certain recipients of public
15 funding that have failed to file a job quality disclosure form; requiring the
16 Commissioner to make a certain report by a certain date each year to the Board
17 of Public Works and the General Assembly; defining certain terms; and
18 generally relating to job quality disclosure forms and recipients of public
19 funding.

20 BY adding to
21 Article - State Finance and Procurement
22 Section 19-101 through 19-104, inclusive to be under the new title "Title 19. Job
23 Quality Disclosure for Recipients of Public Funding"
24 Annotated Code of Maryland
25 (1995 Replacement Volume and 1999 Supplement)

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

1 **Article - State Finance and Procurement**

2 TITLE 19. JOB QUALITY DISCLOSURE FOR RECIPIENTS OF PUBLIC FUNDING.

3 19-101.

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

5 (B) "COMMISSIONER" MEANS THE COMMISSIONER OF LABOR AND INDUSTRY.

6 (C) "FULL-TIME EMPLOYEE" MEANS AN INDIVIDUAL WHO IS NOT A
7 TEMPORARY EMPLOYEE AND IS EMPLOYED BY A RECIPIENT OF PUBLIC FUNDING
8 OVER 35 HOURS OR MORE EACH WEEK.9 (D) "JOB QUALITY DISCLOSURE" MEANS A FORM FILED BY A RECIPIENT OF
10 PUBLIC FUNDING WITH THE COMMISSIONER IN ACCORDANCE WITH THE
11 REQUIREMENTS OF § 19-102 OF THIS TITLE.12 (E) "PART-TIME EMPLOYEE" MEANS AN INDIVIDUAL WHO IS NOT A
13 TEMPORARY EMPLOYEE AND IS REGULARLY EMPLOYED BY A RECIPIENT OF PUBLIC
14 FUNDING FEWER THAN 35 HOURS EACH WEEK.

15 (F) "PUBLIC FUNDING" MEANS:

16 (1) THE SALE, PURCHASE, LEASE, OR CONTRACT, TO, FROM, OR WITH
17 THE STATE OR ANY UNIT OF STATE GOVERNMENT, INVOLVING CONSIDERATION
18 THAT IS PAID WITH STATE FUNDS;19 (2) THE RECEIPT OF FUNDS FROM THE STATE RESERVE FUND, THE
20 STATE GENERAL FUND, OR A SPECIAL FUND;21 (3) A CREDIT OR EXEMPTION FROM STATE INCOME OR PROPERTY
22 TAXES;

23 (4) A CONTRIBUTION, GRANT, OR SUBSIDY FROM THE STATE TREASURY;

24 (5) A LOAN OR THE FINANCING OF A PROJECT UNDER STATE BONDING
25 AUTHORITY; OR26 (6) A LOAN, A FINANCING, OR FUNDING OBTAINED THROUGH OR
27 ADMINISTERED BY THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT,
28 INCLUDING THROUGH:29 (I) THE MARYLAND SMALL BUSINESS DEVELOPMENT FINANCING
30 AUTHORITY;31 (II) THE MARYLAND INDUSTRIAL DEVELOPMENT FINANCING
32 AUTHORITY;

33 (III) THE MARYLAND ENERGY FINANCING ADMINISTRATION;

- 1 (IV) THE MARYLAND INDUSTRIAL AND COMMERCIAL
2 REDEVELOPMENT FUND;
- 3 (V) THE MARYLAND INDUSTRIAL LAND ACT;
- 4 (VI) THE ENTERPRISE FUND;
- 5 (VII) THE MARYLAND ENTERPRISE INCENTIVE DEPOSIT FUND;
- 6 (VIII) THE ENTERPRISE ZONE VENTURE CAPITAL GUARANTEE FUND;
- 7 (IX) THE COMMUNITY DEVELOPMENT BLOCK GRANT FOR
8 ECONOMIC DEVELOPMENT, JOINTLY WITH THE DEPARTMENT OF HOUSING AND
9 COMMUNITY DEVELOPMENT;
- 10 (X) THE DAY CARE FACILITIES LOAN GUARANTEE FUND;
- 11 (XI) THE CHILD CARE FACILITIES DIRECT LOAN FUND;
- 12 (XII) THE CHILD CARE SPECIAL LOAN FUND;
- 13 (XIII) THE MARYLAND ECONOMIC ADJUSTMENT FUND; OR
- 14 (XIV) ANY OTHER PROGRAM OR FUND DESIGNATED IN LAW OR BY
15 THE GOVERNOR OR THE SECRETARY OF BUSINESS AND ECONOMIC DEVELOPMENT.

16 (G) "RECIPIENT OF PUBLIC FUNDING" MEANS A PERSON THAT EMPLOYS ONE
17 OR MORE INDIVIDUALS AND RECEIVES PUBLIC FUNDING.

18 (H) "SPECIFIC PROJECT SITE" MEANS THE DISTINCT OPERATIONAL UNIT OR
19 LOCATION TO WHICH THE PUBLIC FUNDING IS APPLIED.

20 (I) "TEMPORARY EMPLOYEE" MEANS AN INDIVIDUAL WHO IS EMPLOYED BY A
21 RECIPIENT OF PUBLIC FUNDING FOR A SPECIFIED PERIOD OF TIME THAT DOES NOT
22 EXCEED 6 MONTHS.

23 19-102.

24 (A) ON OR BEFORE MAY 1 OF EACH YEAR, A RECIPIENT OF PUBLIC FUNDING
25 OR A PERSON WHO HAS BEEN A RECIPIENT OF PUBLIC FUNDING WITHIN THE
26 PRECEDING 12 MONTHS SHALL FILE WITH THE COMMISSIONER A JOB QUALITY
27 DISCLOSURE FORM THAT:

- 28 (1) IS IN THE FORM THAT THE COMMISSIONER REQUIRES;
- 29 (2) CONTAINS THE INFORMATION REQUIRED IN SUBSECTION (B) OF
30 THIS SECTION; AND
- 31 (3) IS SIGNED AND VERIFIED BY THE RECIPIENT OF PUBLIC FUNDING.

1 (B) THE JOB QUALITY DISCLOSURE FORM SHALL INCLUDE THE FOLLOWING
2 INFORMATION:

3 (1) THE NAME, ADDRESS, TELEPHONE NUMBER, FACSIMILE NUMBER,
4 AND E-MAIL ADDRESS OF THE RECIPIENT OF PUBLIC FUNDING OR FORMER
5 RECIPIENT OF PUBLIC FUNDING;

6 (2) FOR EACH SEPARATE RECEIPT OF PUBLIC FUNDING:

7 (I) THE DATE THE PUBLIC FUNDING WAS RECEIVED;

8 (II) THE TYPE AND AMOUNT OF EACH PUBLIC FUNDING RECEIVED
9 DURING THE PRIOR YEAR;

10 (III) THE NAME OF THE STATE PROGRAM OR UNIT OF STATE
11 GOVERNMENT THAT ALLOCATED OR GRANTED THE PUBLIC FUNDING; AND

12 (IV) THE SPECIFIC PROJECT SITE, IF APPLICABLE;

13 (3) THE NUMBER OF EMPLOYEES THAT WERE EMPLOYED BY THE
14 RECIPIENT OF PUBLIC FUNDING OR FORMER RECIPIENT OF PUBLIC FUNDING
15 DURING THE PRECEDING 12 MONTHS, LISTED SEPARATELY AND BASED ON
16 EMPLOYMENT STATUS AS A FULL-TIME EMPLOYEE, PART-TIME EMPLOYEE, OR
17 TEMPORARY EMPLOYEE;

18 (4) THE NUMBER OF FULL-TIME EMPLOYEES, PART-TIME EMPLOYEES,
19 AND TEMPORARY EMPLOYEES COMPENSATED IN EACH OF THE FOLLOWING HOURLY
20 WAGE RANGES:

21 (I) FEDERAL MINIMUM WAGE TO \$6.50;

22 (II) \$6.51 TO \$8.00;

23 (III) \$8.01 TO \$9.50;

24 (IV) \$9.51 TO \$11.00;

25 (V) \$11.01 TO \$12.00; AND

26 (VI) \$12.01 AND HIGHER;

27 (5) THE TOTAL VALUE OF EMPLOYMENT BENEFITS, INCLUDING HEALTH
28 AND RETIREMENT BENEFITS, PAID TO FULL-TIME EMPLOYEES, PART-TIME
29 EMPLOYEES, AND TEMPORARY EMPLOYEES; AND

30 (6) ANY OTHER INFORMATION THAT THE COMMISSIONER REQUIRES.

31 19-103.

32 (A) ON OR BEFORE JUNE 1 OF EACH YEAR, THE COMMISSIONER SHALL:

1 (1) PROVIDE NOTICE TO THE BOARD AND EACH STATE PROGRAM OR
2 UNIT OF STATE GOVERNMENT THAT ALLOCATES OR GRANTS PUBLIC FUNDING THAT
3 INCLUDES THE NAMES OF EACH RECIPIENT OF PUBLIC FUNDING OR FORMER
4 RECIPIENT OF PUBLIC FUNDING THAT HAS FAILED TO FILE A JOB QUALITY
5 DISCLOSURE FORM UNDER THIS TITLE; AND

6 (2) MAIL A NOTICE OF NONCOMPLIANCE TO EACH RECIPIENT FOR
7 PUBLIC FUNDING OR FORMER RECIPIENT OF PUBLIC FUNDING NAMED IN THE
8 NOTICE.

9 (B) (1) A STATE PROGRAM OR UNIT OF STATE GOVERNMENT SHALL
10 SUSPEND ALL PUBLIC FUNDING TO BE ALLOCATED OR GRANTED AND MAY NOT
11 ALLOCATE OR GRANT NEW PUBLIC FUNDING TO A PERSON THAT HAS FAILED TO
12 FILE A JOB QUALITY DISCLOSURE FORM UNDER THIS TITLE.

13 (2) A STATE PROGRAM OR UNIT OF STATE GOVERNMENT MAY RESTORE
14 PUBLIC FUNDING SUSPENDED UNDER PARAGRAPH (1) OF THIS SUBSECTION ON
15 RECEIPT OF A CERTIFICATION BY THE COMMISSIONER THAT A JOB QUALITY
16 DISCLOSURE FORM HAS BEEN PROPERLY FILED.

17 (C) WITHIN 60 DAYS AFTER THE ISSUANCE OF NOTICE OF NONCOMPLIANCE, A
18 STATE PROGRAM OR UNIT OF STATE GOVERNMENT MAY TERMINATE PUBLIC
19 FUNDING TO BE ALLOCATED OR GRANTED TO A RECIPIENT OF PUBLIC FUNDING
20 THAT HAS FAILED TO FILE A JOB QUALITY DISCLOSURE FORM UNDER THIS TITLE.

21 19-104.

22 (A) ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, THE COMMISSIONER SHALL
23 REVIEW ALL JOB QUALITY DISCLOSURE FORMS RECEIVED AND SHALL REPORT TO
24 THE BOARD AND THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE
25 STATE GOVERNMENT ARTICLE, ON:

26 (1) THE COMPLIANCE BY RECIPIENTS OF PUBLIC FUNDING AND
27 FORMER RECIPIENTS OF PUBLIC FUNDING WITH THE REQUIREMENTS OF THIS
28 TITLE;

29 (2) THE NUMBER OF SUSPENSIONS OR REVOCATIONS OF PUBLIC
30 FUNDING DUE TO NONCOMPLIANCE WITH THE REQUIREMENTS OF THIS TITLE;

31 (3) THE TOTAL NUMBER OF FULL-TIME, PART-TIME, AND TEMPORARY
32 EMPLOYEES OF RECIPIENTS OF PUBLIC FUNDING IN EACH OF THE WAGE RANGES
33 SPECIFIED IN § 19-102(B)(4) OF THIS TITLE;

34 (4) THE NATURE AND LEVEL OF EMPLOYEE HEALTH BENEFITS
35 PROVIDED TO FULL-TIME, PART-TIME, AND TEMPORARY EMPLOYEES OF
36 RECIPIENTS OF PUBLIC FUNDING IN EACH OF THE WAGE RANGES SPECIFIED IN §
37 19-102(B)(4) OF THIS TITLE;

1 (5) THE NATURE AND LEVEL OF RETIREMENT BENEFITS PROVIDED TO
2 FULL-TIME, PART-TIME, AND TEMPORARY EMPLOYEES OF RECIPIENTS OF PUBLIC
3 FUNDING IN EACH OF THE WAGE RANGES SPECIFIED IN § 19-102(B)(4) OF THIS TITLE;

4 (6) THE TOTAL VALUE OF OTHER EMPLOYMENT BENEFITS PROVIDED
5 TO FULL-TIME, PART-TIME, AND TEMPORARY EMPLOYEES OF RECIPIENTS OF
6 PUBLIC FUNDING IN EACH OF THE WAGE RANGES SPECIFIED IN § 19-102(B)(4) OF
7 THIS TITLE; AND

8 (7) THE TOTAL AMOUNT OF PUBLIC FUNDING ALLOCATED OR GRANTED
9 TO RECIPIENTS OF PUBLIC FUNDING.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
11 October 1, 2000.