

HOUSE BILL 829

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E4

2001 Regular Session
(11r2078)

ENROLLED BILL
-- Economic Matters/Judicial Proceedings --

Introduced by **Delegates Marriott, Benson, Gladden, V. Jones, Kirk, Paige,
Phillips, and Rawlings**

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.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Advisory Council on Offender Employment Coordination**

3 FOR the purpose of establishing an Advisory Council on Offender Employment
4 Coordination in the Department of Public Safety and Correctional Services;
5 providing for the membership, chairman, staff, and executive director of the
6 Council; requiring the Council to gather information, solicit ideas, and advise
7 and provide guidance to the executive director on certain matters; requiring that
8 certain governmental personnel shall cooperate with the Council with regard to
9 reasonable requests for information from the Council; requiring certain reports;
10 defining certain terms; providing for the termination of this Act; and generally
11 relating to the Advisory Council on Offender Employment Coordination.

12 BY adding to
13 Article - Correctional Services
14 Section 2-301 through ~~2-308~~ 2-307, inclusive, to be under the new subtitle
15 "Subtitle 3. Advisory Council on Offender Employment Coordination"

1 Annotated Code of Maryland
2 (1999 Volume and 2000 Supplement)

3 **Preamble**

4 ~~WHEREAS, Maryland has experienced both an increased demand for a trained~~
5 ~~and skilled labor force and an increased offender population seeking employment~~
6 ~~opportunities; and~~

7 ~~WHEREAS, Pilot projects in other states and cities have led to the creation of~~
8 ~~successful public-private partnerships that are focused on employment as a tool for~~
9 ~~long-term change in offender behavior; and~~

10 ~~WHEREAS, Recidivism is dramatically decreased through the use of well~~
11 ~~designed employment initiatives that include job preparation and skills development~~
12 ~~components along with placement and retention efforts; and~~

13 ~~WHEREAS, There is a need to establish employment related efforts that span~~
14 ~~the correctional system, from prison to community; and~~

15 ~~WHEREAS, Employment reduces criminal behavior of offenders and therefore~~
16 ~~plays a significant role in crime control efforts and in improving the quality of life of~~
17 ~~all citizens and in all communities; now, therefore,~~

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

20 **Article - Correctional Services**

21 SUBTITLE 3. ADVISORY COUNCIL ON OFFENDER EMPLOYMENT COORDINATION.
22 2-301.

23 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
24 INDICATED.

25 (B) "COUNCIL" MEANS THE ADVISORY COUNCIL ON OFFENDER EMPLOYMENT
26 COORDINATION.

27 (C) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE
28 ADVISORY COUNCIL ON OFFENDER EMPLOYMENT COORDINATION.

29 (D) (1) "GOVERNMENTAL UNIT" MEANS A PERMANENT INSTRUMENTALITY
30 IN THE EXECUTIVE, LEGISLATIVE, OR JUDICIAL BRANCH OF STATE GOVERNMENT.

31 (2) "GOVERNMENTAL UNIT" INCLUDES A DEPARTMENT, BOARD,
32 COMMISSION, AGENCY, OR A SUBUNIT IN THE EXECUTIVE, LEGISLATIVE, OR
33 JUDICIAL BRANCH OF STATE GOVERNMENT AND THOSE COUNTY-FUNDED STATE
34 ENTITIES SPECIFIED IN ARTICLE 24, § 8-101 OF THE CODE.

1 (E) "OFFENDER" MEANS A PRESENT OR FORMER INMATE, OR ANY INDIVIDUAL
2 UNDER THE CORRECTIONAL SUPERVISION OF THE DEPARTMENT.

3 2-302.

4 THERE IS AN ADVISORY COUNCIL ON OFFENDER EMPLOYMENT COORDINATION
5 IN THE DEPARTMENT.

6 2-303.

7 THE COUNCIL CONSISTS OF:

8 (1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE
9 PRESIDENT OF THE SENATE;

10 (2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE
11 SPEAKER OF THE HOUSE;

12 (3) THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES;

13 (4) THE STATE SUPERINTENDENT OF EDUCATION;

14 (5) ONE REPRESENTATIVE OF BALTIMORE CITY APPOINTED BY THE
15 MAYOR OF BALTIMORE;

16 (6) ~~ONE JUDGE SITTING ON THE BALTIMORE CITY CIRCUIT COURT~~
17 REPRESENTATIVE OF THE JUDICIAL BRANCH OF THE STATE GOVERNMENT
18 APPOINTED BY THE CHIEF JUDGE OF THE COURT OF APPEALS; AND

19 (7) SEVEN MEMBERS APPOINTED BY THE GOVERNOR AS FOLLOWS:

20 (I) FOUR REPRESENTATIVES OF THE BUSINESS COMMUNITY;

21 (II) TWO REPRESENTATIVES OF FAITH BASED OR NONPROFIT
22 COMMUNITIES; AND

23 (III) ONE REPRESENTATIVE FROM A LABOR TRADE.

24 2-304.

25 (A) (1) THE GOVERNOR SHALL APPOINT A CHAIRMAN FROM AMONG THE
26 MEMBERS OF THE COUNCIL SELECTED UNDER § 2-303(7)(I) OF THIS SUBTITLE.

27 (2) THE COUNCIL SHALL DETERMINE THE TIMES AND PLACES OF THE
28 MEETINGS OF THE COUNCIL.

29 (B) A QUORUM OF THE COUNCIL IS EIGHT MEMBERS.

30 (C) (1) UNLESS EXTENDED BY LAW, THE TERMS OF MEMBERS END ON
31 AUGUST 31, 2004.

1 (2) IF A VACANCY OCCURS DURING THE TERM OF A MEMBER, THE
2 APPOINTING AUTHORITY SHALL APPOINT ANOTHER INDIVIDUAL TO SERVE THE
3 REMAINDER OF THE TERM.

4 (D) A MEMBER OF THE COUNCIL:

5 (1) MAY NOT RECEIVE COMPENSATION FOR DUTIES PERFORMED AS A
6 MEMBER OF THE COUNCIL; BUT

7 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
8 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

9 (E) THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
10 SHALL PROVIDE:

11 (1) A FULL-TIME EXECUTIVE DIRECTOR; AND

12 (2) STAFF SUPPORT AND TECHNICAL ASSISTANCE.

13 2-305.

14 ~~(A) (1) FOR FISCAL YEAR 2003 AND EACH FISCAL YEAR THEREAFTER, THE~~
15 ~~COUNCIL SHALL PREPARE A BUDGET FOR SUBMISSION TO THE GOVERNOR WITH~~
16 ~~DUE REGARD TO THE DICTATES OF PRACTICALITY AND THE FISCAL CONDITION OF~~
17 ~~THE STATE.~~

18 ~~(2) THE GOVERNOR SHALL INCLUDE AN APPROPRIATION FOR THE~~
19 ~~COUNCIL IN THE ANNUAL STATE BUDGET SUFFICIENT FOR THE OPERATION OF THE~~
20 ~~COUNCIL.~~

21 ~~(B) THE COUNCIL IS SUBJECT TO AN AUDIT BY THE OFFICE OF THE~~
22 ~~LEGISLATIVE AUDITOR IN ACCORDANCE WITH §§ 2-1217 THROUGH 2-1227 OF THE~~
23 ~~STATE GOVERNMENT ARTICLE.~~

24 ~~2-306.~~

25 THE COUNCIL SHALL:

26 (1) GATHER INFORMATION, SOLICIT IDEAS, AND ADVISE AND PROVIDE
27 GUIDANCE TO THE EXECUTIVE DIRECTOR ON WAYS TO:

28 (I) DEVELOP TRANSITIONAL SUPPORTS AND EXPAND
29 EMPLOYMENT OPPORTUNITIES FOR OFFENDERS BOTH IN INSTITUTIONAL AND
30 COMMUNITY SETTINGS;

31 (II) PROVIDE MORE EXTENSIVE EMPLOYMENT COUNSELING FOR
32 OFFENDERS UNDER CORRECTIONAL CONTROL;

33 (III) TRANSFER SUCCESSFUL INSTITUTIONAL PROGRAMS AND
34 SERVICES THAT PREPARE OFFENDERS FOR EMPLOYMENT AND PROVIDE
35 EMPLOYMENT OPPORTUNITIES TO COMMUNITY SETTINGS;

1 (IV) INCREASE JOB PLACEMENT AND JOB RETENTION RATES FOR
2 ALL OFFENDERS UNDER CORRECTIONAL CONTROL;

3 (V) IMPROVE THE OVERALL COORDINATION OF EMPLOYMENT
4 SERVICES FOR OFFENDERS;

5 (VI) DEVELOP AND IMPLEMENT A BUSINESS MENTORING
6 PROGRAM; AND

7 (VII) CONDUCT MOCK JOB FAIRS IN INSTITUTIONS AND IN THE
8 COMMUNITY; AND

9 (2) ASSIST THE EXECUTIVE DIRECTOR IN THE DEVELOPMENT OF A PLAN
10 FOR TRANSITIONAL EMPLOYMENT THAT INCORPORATES THE OBJECTIVES STATED
11 IN ITEM (1) OF THIS SECTION.

12 ~~2-307.~~ 2-306.

13 ALL PERSONNEL IN ANY GOVERNMENTAL UNIT SHALL COOPERATE WITH THE
14 COUNCIL IN THE DISCHARGE OF THE FUNCTIONS OF THE COUNCIL AND WITH
15 REGARD TO ANY REASONABLE REQUEST THAT THE COUNCIL MAKES FOR
16 INFORMATION ASSOCIATED WITH ITS DUTIES UNDER THIS SUBTITLE.

17 ~~2-308.~~ 2-307.

18 ON OR BEFORE OCTOBER 31, 2001 AND EACH OCTOBER 31 THEREAFTER, THE
19 COUNCIL SHALL SUBMIT A REPORT CONCERNING ITS ACTIVITIES AND
20 RECOMMENDATIONS TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE
21 GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 June 1, 2001. It shall remain effective for a period of 3 years and 3 months and, at the
24 end of August 31, 2004, with no further action required by the General Assembly, this
25 Act shall be abrogated and of no further force and effect.