

SENATE BILL 541

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2001 Regular Session
(11r1419)

ENROLLED BILL
-- Finance/Appropriations --

Introduced by **Senators Madden, Currie, DeGrange, Exum, Hafer, Kelley, McFadden, Mitchell, Roesser, and Teitelbaum**

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.

President.

CHAPTER _____

1 AN ACT concerning

2 **Welfare Innovation Act of 2001**

3 FOR the purpose of requiring the Maryland Higher Education Commission, in
4 cooperation with Department of Human Resources, to coordinate efforts among
5 institutions of higher education to encourage and identify student volunteers to
6 help provide mentoring to Family Investment Program recipients; specifying
7 when temporary cash assistance may not be paid under certain circumstances;
8 requiring the Secretary of Human Resources to provide certain exemptions for
9 certain families; requiring the Secretary to establish a separate State program
10 for certain families receiving temporary cash assistance; repealing a
11 requirement for the Secretary to establish a representative payee or voucher
12 program for certain minor children; increasing the period of time used to
13 determine the eligibility of a former FIP recipient to participate in the Job Skills
14 Enhancement Program; authorizing a local department of social services to
15 work with businesses to train and place former FIP recipients in certain
16 positions; requiring the Secretary of ~~Human Resources~~ to establish a mentoring

1 program for former FIP recipients; specifying that FIP caseworkers may be
2 mentors; authorizing the Department to contract with other organizations to
3 acquire mentors; specifying the activities that may be included as mentoring;
4 specifying criteria for eligibility to participate in the mentoring program;
5 limiting participation in the mentoring program to a certain amount of time;
6 authorizing the Secretary to provide pay or other incentives for mentors;
7 ~~requiring the Secretary to initiate an Individual Development Account~~
8 ~~Demonstration Program with certain purposes and terms; requiring that~~
9 ~~participants meet certain eligibility requirements and limit use of the account to~~
10 ~~certain purchases; requiring participating individuals and organizations to~~
11 ~~perform certain functions; establishing the scope and funding for the Program;~~
12 ~~requiring the Department to submit an annual evaluation of the Program to the~~
13 ~~General Assembly;~~ establishing a Commission on Responsible Fatherhood;
14 specifying the membership requirements and length of terms for the
15 Commission on Responsible Fatherhood; providing for expense reimbursement
16 for members of the Commission on Responsible Fatherhood; specifying the
17 meeting and voting procedures of the Commission on Responsible Fatherhood;
18 requiring the Commission on Responsible Fatherhood to hire certain staff;
19 specifying the purposes and duties of the Commission on Responsible
20 Fatherhood; prohibiting the Commission on Responsible Fatherhood from
21 operating any programs or providing any direct services; expanding the
22 reporting requirements for employers who hire new employees; extending a
23 certain reporting date and termination date; defining certain terms; making
24 certain stylistic and technical changes; and generally relating to welfare reform.

25 BY repealing and reenacting, with amendments,
26 Article 88A - Department of Human Resources
27 Section ~~47(d)~~ 47(d), 51, and 53A
28 Annotated Code of Maryland
29 (1998 Replacement Volume and 2000 Supplement)

30 BY adding to
31 Article 88A - Department of Human Resources
32 Section 56 ~~and 57~~
33 Annotated Code of Maryland
34 (1998 Replacement Volume and 2000 Supplement)

35 BY adding to
36 Article 41 - Governor - Executive and Administrative Departments
37 Section 18-401 through 18-408, inclusive, to be under the new subtitle "Subtitle
38 4. Commission on Responsible Fatherhood"
39 Annotated Code of Maryland
40 (1997 Replacement Volume and 2000 Supplement)

41 BY repealing and reenacting, with amendments,
42 Article - Labor and Employment

1 Section 8-626.1
2 Annotated Code of Maryland
3 (1999 Replacement Volume and 2000 Supplement)

4 BY repealing and reenacting, with amendments,
5 Chapter 671 of the Acts of the General Assembly of 2000
6 Section 6

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

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

10 47.

11 (d) (1) The Maryland Higher Education Commission, in cooperation with
12 the Department, shall:

13 (i) Identify and promote at institutions of higher education efforts
14 to provide assistance to FIP recipients; and

15 (ii) Coordinate efforts among institutions of higher education to
16 encourage and identify student volunteers to help provide to FIP recipients
17 educational and employment-related services, such as literacy training, MENTORING,
18 resume writing, and job interviewing skills.

19 (2) An institution of higher education shall:

20 (i) Meet with the local department about developing services for
21 FIP recipients in the jurisdiction in which the institution is located;

22 (ii) Advise the local department of the services available for FIP
23 recipients; and

24 (iii) By September 15 of each year, provide to the Maryland Higher
25 Education Commission, a report on efforts to encourage and identify student
26 volunteers and identify services provided under the provisions of this subsection.

27 (3) By December 1 of each year, the Maryland Higher Education
28 Commission shall submit a report, subject to § 2-1246 of the State Government
29 Article, to the Joint Committee on Welfare Reform regarding the services provided
30 under the provisions of this subsection.

31 51.

32 (a) Except as provided in subsection (b) of this section and in regulations
33 adopted by the Secretary, a local department may not pay temporary cash assistance
34 to:

1 (1) A family that includes an adult who has received more than 60
2 CUMULATIVE months of temporary cash assistance FUNDED WHOLLY OR IN PART BY
3 FEDERAL FUNDS; or

4 (2) A family that includes an adult who:

5 (i) Has received more than 24 CUMULATIVE months of temporary
6 cash assistance FUNDED WHOLLY OR IN PART BY FEDERAL FUNDS; and

7 (ii) Who is not participating in a work activity.

8 (b) The Secretary shall establish BY REGULATION: [a representative payee or
9 a voucher program of benefits for the minor children in a family that includes an
10 adult who has received more than 60 months of temporary cash assistance.]

11 (1) STANDARDS AND PROCEDURES UNDER WHICH LOCAL
12 DEPARTMENTS OF SOCIAL SERVICES MAY EXEMPT FAMILIES FROM THE
13 LIMITATIONS OF SUBSECTION (A)(1) OF THIS SECTION FOR REASONS OF HARDSHIP;
14 AND

15 (2) A SEPARATE STATE PROGRAM, SUBJECT TO SUBSECTION (C) OF THIS
16 SECTION, THAT:

17 (I) IS FUNDED ENTIRELY FROM STATE GENERAL FUNDS THAT
18 MAY BE COUNTED TOWARD ANY FEDERAL MAINTENANCE OF EFFORT
19 REQUIREMENT;

20 (II) SHALL PAY TEMPORARY CASH ASSISTANCE TO FAMILIES WHO
21 ARE EXEMPTED UNDER ITEM (1) OF THIS SUBSECTION BUT WHO CANNOT RECEIVE
22 FEDERAL FUNDS DUE TO FEDERAL LIMITATIONS; AND

23 (III) IS SUBJECT TO ALL FAMILY INVESTMENT PROGRAM
24 REQUIREMENTS IN THIS TITLE.

25 (c) The provisions of this section are subject to federal law and regulation.

26 53A.

27 (a) The Secretary, in cooperation with the directors of local departments of
28 social services, shall establish a job skills enhancement pilot program in at least three
29 counties, one of which shall be located in Western Maryland, Southern Maryland, or
30 the Eastern Shore, to provide newly employed current and former FIP recipients with
31 training in order for them to:

32 (1) Enhance their existing job-related skills;

33 (2) Gain additional or alternative job skills; or

34 (3) Learn interpersonal, communication, and other related skills.

1 (b) The job skills enhancement program shall target unskilled and semiskilled
2 former and current FIP recipients who are newly employed in entry-level positions
3 that have limited potential for advancement beyond entry level.

4 (c) (1) Participation in the job skills enhancement program shall be
5 voluntary.

6 (2) Individuals participating in the job skills enhancement program shall
7 sign a training agreement with the local department.

8 (d) To be eligible to participate in the job skills enhancement program, an
9 individual shall:

10 (1) Have been a FIP recipient within the previous [18] 36 months of the
11 date the individual proposes to begin participation in the job skills enhancement
12 program;

13 (2) Have been employed in entry-level employment for at least 6 months
14 from the date the individual proposes to begin participation in the job skills
15 enhancement program;

16 (3) Provide employer validation or other documentation of employment
17 status;

18 (4) Possess limited job skills; and

19 (5) Have limited opportunity for advancement in current employment.

20 (e) The local department shall contract for training services that are to be
21 provided under the job skills enhancement program, as provided in § 47(a) of this
22 subtitle.

23 (F) (1) THE LOCAL DEPARTMENT MAY WORK WITH BUSINESSES TO TRAIN
24 AND PLACE FORMER FIP RECIPIENTS IN POSITIONS THAT MEET THE REQUIREMENTS
25 OF PARAGRAPH (F)(2) OF THIS SUBSECTION.

26 (2) PARTICIPATING BUSINESSES SHALL:

27 (I) PROVIDE EMPLOYMENT WITH BENEFITS PAID TO EMPLOYEES;

28 (II) PROVIDE FORMER FIP RECIPIENTS EMPLOYMENT THAT HAS A
29 DEFINED CAREER PATH;

30 (III) DEMONSTRATE THE ACTIVE INVOLVEMENT AND FINANCIAL
31 COMMITMENT OF THE BUSINESS; AND

32 (IV) PROVIDE A MATCH WITH CASH, OR IN-KIND CONTRIBUTIONS,
33 ON AT LEAST A ONE-TO-ONE BASIS.

34 [(f)] (G) (1) At the discretion of the Secretary, in consultation with the local
35 department director, the job skills enhancement program shall be administered by the

1 local department or through the State service delivery area system under the [Job
2 Training Partnership Act (JTPA)] WORKFORCE INVESTMENT ACT.

3 (2) As part of their administrative responsibilities under paragraph (1)
4 of this subsection, a local department or persons at a service delivery area location
5 shall:

6 (i) Manage each participant's training plan;

7 (ii) Maintain a database of appropriate training vendors; and

8 (iii) Compile necessary fiscal reports on the job skills enhancement
9 program.

10 56.

11 (A) THE SECRETARY, IN COOPERATION WITH DIRECTORS OF LOCAL
12 DEPARTMENTS OF SOCIAL SERVICES, SHALL ESTABLISH A MENTORING PROGRAM
13 FOR FORMER FIP RECIPIENTS.

14 (B) THE MENTORING PROGRAM MAY INCLUDE FAMILY INVESTMENT
15 PROGRAM CASEWORKERS IN LOCAL DEPARTMENTS WHO VOLUNTEER TO BE
16 MENTORS.

17 (C) THE DEPARTMENT MAY CONTRACT WITH OTHER ORGANIZATIONS UNDER
18 § 47 OF THIS ARTICLE TO ACQUIRE MENTORS FOR FORMER FIP RECIPIENTS.

19 (D) MENTORING MAY INCLUDE:

20 (1) PROVIDING ASSISTANCE TO RESOLVE WORKPLACE PROBLEMS;

21 (2) PROVIDING WORKPLACE ADJUSTMENT ASSISTANCE;

22 (3) JOB COACHING;

23 (4) LIFE SKILLS;

24 (5) COUNSELING AND TUTORING; AND

25 (6) ANY OTHER ACTIVITIES THAT WILL HELP FORMER FIP RECIPIENTS
26 THROUGH THE FIRST MONTHS THAT THEY ARE OFF TEMPORARY CASH ASSISTANCE.

27 (E) TO BE ELIGIBLE TO PARTICIPATE IN THE MENTORING PROGRAM, AN
28 INDIVIDUAL SHALL:

29 (1) HAVE BEEN A FIP RECIPIENT IN THE PREVIOUS 6 MONTHS;

30 (2) HAVE BEEN EMPLOYED; AND

1 (3) HAVE A DEMONSTRATED NEED AND DESIRE FOR ASSISTANCE IN
2 ACQUIRING AND MAINTAINING THE SKILLS NECESSARY FOR A LASTING EXIT FROM
3 TEMPORARY CASH ASSISTANCE.

4 (F) PROGRAM PARTICIPATION MAY NOT EXCEED 6 MONTHS.

5 (G) THE SECRETARY MAY ARRANGE TO PROVIDE PAY OR OTHER TYPES OF
6 INCENTIVES TO EMPLOYEES WHO VOLUNTEER TO MENTOR FORMER FIP
7 RECIPIENTS.

8 (H) THE SECRETARY'S POWERS UNDER THIS SECTION SHALL BE GIVEN
9 LIBERAL CONSTRUCTION.

10 ~~57.~~

11 (A) (1) ~~IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~
12 ~~INDICATED.~~

13 (2) ~~"INDIVIDUAL DEVELOPMENT ACCOUNT" MEANS A SAVINGS~~
14 ~~ACCOUNT OPENED BY A PROGRAM PARTICIPANT UNDER THE TERMS OF THE~~
15 ~~PROGRAM THAT WILL BE THE BASIS FOR DETERMINING THE AMOUNT OF MATCHING~~
16 ~~FUNDS PROVIDED TO THE PARTICIPANT UNDER THE PROGRAM.~~

17 (3) ~~"PROGRAM" MEANS THE INDIVIDUAL DEVELOPMENT ACCOUNT~~
18 ~~DEMONSTRATION PROGRAM DESCRIBED IN THIS SECTION.~~

19 (4) ~~"PROGRAM PARTICIPANT" MEANS A FAMILY INVESTMENT PROGRAM~~
20 ~~RECIPIENT WHO HAS CONTRACTED WITH A SERVICE PROVIDER TO PARTICIPATE IN~~
21 ~~THE PROGRAM AND HAS OPENED AN INDIVIDUAL DEVELOPMENT ACCOUNT.~~

22 (5) ~~"SERVICE PROVIDER" MEANS ANY PUBLIC ENTITY OR NONPROFIT~~
23 ~~ORGANIZATION, EXEMPT FROM TAXATION UNDER § 501(C)(3) OF THE INTERNAL~~
24 ~~REVENUE CODE.~~

25 (6) ~~"TECHNICAL ASSISTANCE ORGANIZATION" MEANS AN~~
26 ~~ORGANIZATION THAT PROVIDES TECHNICAL ASSISTANCE, TRAINING, PROGRAM~~
27 ~~DESIGN, TRACKING, AND EVALUATION TO THE SERVICE PROVIDERS.~~

28 (B) (1) ~~THE SECRETARY SHALL INITIATE AN INDIVIDUAL DEVELOPMENT~~
29 ~~ACCOUNT DEMONSTRATION PROGRAM WHOSE PURPOSE IS TO DEMONSTRATE THAT~~
30 ~~FIP RECIPIENTS CAN SAVE FOR ASSET PURCHASE.~~

31 (2) ~~UNDER THE DEMONSTRATION PROGRAM, STATE MATCHING FUNDS~~
32 ~~AND PRIVATELY DONATED FUNDS WILL BE PROVIDED TO ELIGIBLE INDIVIDUALS~~
33 ~~WHO SAVE MONEY FOR PURPOSES SPECIFIED IN THIS SUBTITLE.~~

34 (3) ~~ELIGIBILITY FOR PARTICIPATION IN THE PROGRAM SHALL BE~~
35 ~~LIMITED TO INDIVIDUALS WHO MEET THE FOLLOWING CRITERIA:~~

1 (I) ~~THE INDIVIDUAL IS AN APPLICANT OR RECIPIENT IN THE~~
2 ~~FAMILY INVESTMENT PROGRAM;~~

3 (II) ~~THE INDIVIDUAL IS RECEIVING CHILD SUPPORT PAYMENTS~~
4 ~~ASSIGNED UNDER § 50 OF THIS ARTICLE; AND~~

5 (III) ~~THE INDIVIDUAL HAS DEMONSTRATED A WILLINGNESS TO~~
6 ~~ENTER INTO A CONTRACT TO SAVE MONEY FOR ASSET PURCHASE.~~

7 (4) ~~INDIVIDUAL DEVELOPMENT ACCOUNTS MAY BE USED BY PROGRAM~~
8 ~~PARTICIPANTS FOR THE FOLLOWING:~~

9 (I) ~~POSTSECONDARY AND VOCATIONAL EDUCATIONAL EXPENSES;~~

10 (II) ~~ACQUISITION COSTS FOR A HOME;~~

11 (III) ~~MAJOR HOME REPAIRS PROVIDING STRUCTURAL~~
12 ~~IMPROVEMENTS THAT WILL LAST AT LEAST 10 YEARS; AND~~

13 (IV) ~~AMOUNTS PAID DIRECTLY INTO A BUSINESS CAPITALIZATION~~
14 ~~ACCOUNT THAT IS:~~

15 1. ~~ESTABLISHED IN A FEDERALLY INSURED FINANCIAL~~
16 ~~INSTITUTION; AND~~

17 2. ~~RESTRICTED TO USE FOR QUALIFIED BUSINESS~~
18 ~~EXPENSES, AS DETERMINED BY THE SERVICE PROVIDER.~~

19 (C) (1) ~~AN INDIVIDUAL SELECTED FOR PARTICIPATION IN THE PROGRAM~~
20 ~~SHALL:~~

21 (I) ~~CONTRACT WITH THE INDIVIDUAL'S SERVICE PROVIDER~~
22 ~~REGARDING THE OPENING AND MANAGEMENT OF A SAVINGS ACCOUNT;~~

23 (II) ~~DEPOSIT EARNED INCOME EACH MONTH INTO THE ACCOUNT;~~

24 (III) ~~SELECT PURCHASE GOALS FOR WHICH THE SAVINGS WILL BE~~
25 ~~USED;~~

26 (IV) ~~INFORM THE NONCUSTODIAL FATHER OF THE FIP RECIPIENT'S~~
27 ~~PROGRAM PARTICIPATION; AND~~

28 (V) ~~COMMUNICATE REGULARLY WITH THE SERVICE PROVIDER~~
29 ~~REGARDING THE ACCOUNT.~~

30 (2) ~~A SERVICE PROVIDER SHALL:~~

31 (I) ~~RECRUIT AND SELECT ELIGIBLE PROGRAM PARTICIPANTS;~~

32 (II) ~~HELP ELIGIBLE PROGRAM PARTICIPANTS OPEN INDIVIDUAL~~
33 ~~DEVELOPMENT ACCOUNTS IN FEDERALLY INSURED INSTITUTIONS;~~

- 1 (III) ~~PROVIDE FINANCIAL LITERACY TRAINING;~~
- 2 (IV) ~~HELP PROGRAM PARTICIPANTS IDENTIFY APPROPRIATE USES~~
3 ~~FOR THE SAVINGS;~~
- 4 (V) ~~SOLICIT DONATIONS FROM PRIVATE ENTITIES INCLUDING THE~~
5 ~~FINANCIAL INSTITUTION AT WHICH THE INDIVIDUAL DEVELOPMENT ACCOUNTS~~
6 ~~ARE LOCATED;~~
- 7 (VI) ~~MAINTAIN A POOL FUND CONSISTING OF STATE MATCHING~~
8 ~~FUNDS AND PRIVATE DONATIONS;~~
- 9 (VII) ~~AFTER OBTAINING WRITTEN AUTHORIZATION FROM THE~~
10 ~~PROGRAM PARTICIPANT, SHARE ALL ACCOUNT INFORMATION WITH THE ASSIGNED~~
11 ~~TECHNICAL ASSISTANCE ORGANIZATION;~~
- 12 (VIII) ~~HELP INDIVIDUALS RECEIVE THEIR SAVINGS AND MATCHING~~
13 ~~FUNDS AT THE CONCLUSION OF THE PROGRAM;~~
- 14 (IX) ~~PROVIDE OR IDENTIFY SUPPORTIVE SERVICES TO HELP THE~~
15 ~~PROGRAM PARTICIPANT REACH THE OUTCOME SELECTED;~~
- 16 (X) ~~LINK PROGRAM PARTICIPANTS TO OTHER ACTIVITIES THAT~~
17 ~~FOSTER INDEPENDENCE;~~
- 18 (XI) ~~LIMIT THE NUMBER OF PROGRAM PARTICIPANTS UNDER ITS~~
19 ~~SUPERVISION TO 150; AND~~
- 20 (XII) ~~PROVIDE OTHER SERVICES NECESSARY FOR THE EFFECTIVE~~
21 ~~IMPLEMENTATION OF THIS PROGRAM.~~
- 22 (3) ~~A TECHNICAL ASSISTANCE ORGANIZATION SHALL:~~
- 23 (I) ~~MANAGE THE RESERVE FUND CONSISTING OF THE~~
24 ~~DEPARTMENT'S ANNUAL FUNDING FOR THE PROGRAM BY:~~
- 25 1. ~~RECEIVING ALLOCATED FUNDING FROM THE~~
26 ~~DEPARTMENT AND MAINTAINING IT IN A FEDERALLY INSURED INSTITUTION;~~
- 27 2. ~~TRANSMITTING MATCHING STATE FUNDS AND DONATED~~
28 ~~PRIVATE FUNDS TO THE SERVICE PROVIDERS;~~
- 29 3. ~~TRANSMITTING \$200 PER PROGRAM PARTICIPANT FOR A~~
30 ~~MAXIMUM OF 3 YEARS TO EACH SERVICE PROVIDER FOR TRAINING AND~~
31 ~~EDUCATIONAL EXPENSES;~~
- 32 4. ~~DEPOSITING PRIVATE DONATIONS; AND~~
- 33 5. ~~REDEPOSITING FUNDING RETURNED BY SERVICE~~
34 ~~PROVIDERS;~~

1 (II) ~~SOLICIT NONPROFIT ORGANIZATIONS TO APPLY TO BECOME~~
2 ~~SERVICE PROVIDERS;~~

3 (III) ~~SELECT SERVICE PROVIDERS FROM APPLICANTS BASED ON~~
4 ~~FACTORS INCLUDING:~~

5 1. ~~STABILITY;~~

6 2. ~~GEOGRAPHICAL DISTRIBUTION; AND~~

7 3. ~~ABILITY TO PROVIDE SERVICES DESCRIBED IN~~
8 ~~PARAGRAPH (2) OF THIS SUBSECTION;~~

9 (IV) ~~PROVIDE TECHNICAL ASSISTANCE AND TRAINING IN~~
10 ~~FINANCIAL LITERACY AND PROGRAM DESIGN TO SERVICE PROVIDERS;~~

11 (V) ~~TRACK AND EVALUATE PROGRAM PARTICIPATION;~~

12 (VI) ~~ASSIST SERVICE PROVIDERS IN ADVERTISING THE PROGRAM;~~

13 (VII) ~~PROVIDE CONSULTATION TO SERVICE PROVIDERS AS NEEDED;~~

14 (VIII) ~~INCLUDE STAKEHOLDERS IN THE DEVELOPMENT AND~~
15 ~~IMPLEMENTATION OF THE PROGRAM; AND~~

16 (IX) ~~SOLICIT CONTRIBUTIONS FROM PRIVATE ENTITIES.~~

17 (4) ~~THE SECRETARY SHALL:~~

18 (I) ~~SOLICIT PROPOSALS FROM ENTITIES INTERESTED IN~~
19 ~~BECOMING TECHNICAL ASSISTANCE ORGANIZATIONS;~~

20 (II) ~~SELECT ONE OR MORE TECHNICAL ASSISTANCE~~
21 ~~ORGANIZATIONS BASED ON FACTORS INCLUDING:~~

22 1. ~~STABILITY; AND~~

23 2. ~~ABILITY TO PROVIDE SERVICES DESCRIBED IN~~
24 ~~PARAGRAPH (3) OF THIS SUBSECTION; AND~~

25 (III) ~~PROVIDE NO MORE THAN \$80,000 ANNUALLY IN FUNDING TO~~
26 ~~THE TECHNICAL ASSISTANCE ORGANIZATIONS FOR A MAXIMUM OF 5 YEARS.~~

27 (D) (1) ~~THE CONTRACT BETWEEN THE PROGRAM PARTICIPANT AND THE~~
28 ~~SERVICE PROVIDER SHALL PROVIDE THAT MONEY MAY BE WITHDRAWN BY A~~
29 ~~PROGRAM PARTICIPANT FROM AN INDIVIDUAL DEVELOPMENT ACCOUNT OTHER~~
30 ~~THAN FOR QUALIFIED PURPOSES ONLY FOR EMERGENCIES:~~

31 (1) ~~AS DETERMINED BY THE DEPARTMENT; AND~~

32 (II) ~~IF REPLACED WITHIN 6 MONTHS.~~

1 (2) IF A SERVICE PROVIDER LEARNS THAT FUNDS WERE WITHDRAWN
2 FROM AN INDIVIDUAL DEVELOPMENT ACCOUNT FOR PURPOSES OTHER THAN THOSE
3 LISTED IN SUBSECTIONS (B) AND (D)(1) OF THIS SECTION THEN THE SERVICE
4 PROVIDER SHALL:

5 (I) WITHHOLD ANY MATCHING FUNDS; AND

6 (II) TERMINATE THE INDIVIDUAL'S CONTRACT WITH THE SERVICE
7 PROVIDER.

8 (3) THE TECHNICAL ASSISTANCE ORGANIZATIONS SHALL ESTABLISH A
9 GRIEVANCE PROCESS TO HEAR, REVIEW, AND DECIDE IN WRITING ANY GRIEVANCE
10 MADE BY A PROGRAM PARTICIPANT WHO DISPUTES A DECISION BY THE SERVICE
11 PROVIDER.

12 (4) THE TECHNICAL ASSISTANCE ORGANIZATIONS SHALL DEVELOP
13 PROCEDURES TO FOLLOW WHEN A PROGRAM PARTICIPANT MOVES FROM THE
14 COMMUNITY OR IS OTHERWISE UNABLE TO CONTINUE TO PARTICIPATE IN THE
15 PROGRAM.

16 (5) (I) A FEDERALLY INSURED FINANCIAL INSTITUTION HAS NO
17 GREATER DUTIES OR RESPONSIBILITIES AS TO AN INDIVIDUAL DEVELOPMENT
18 ACCOUNT THAN IT HAS TO ANY OTHER SAVINGS ACCOUNT.

19 (II) A FEDERALLY INSURED FINANCIAL INSTITUTION HAS NO DUTY
20 OR RESPONSIBILITY TO RECOGNIZE OR GIVE EFFECT TO ANY WITHDRAWAL
21 RESTRICTION ESTABLISHED IN THE CONTRACT BETWEEN THE PROGRAM
22 PARTICIPANT AND THE SERVICE PROVIDER.

23 (E) (1) THE STATE SHALL PROVIDE MATCHING FUNDS IN THE AMOUNT OF
24 \$2 TO EACH DOLLAR DEPOSITED IN THE INDIVIDUAL DEVELOPMENT ACCOUNT BY
25 THE PROGRAM PARTICIPANT.

26 (2) NOT MORE THAN \$1,000 IN STATE MATCHING FUNDS MAY BE
27 ALLOCATED TO ANY SINGLE PARTICIPANT IN A GIVEN YEAR.

28 (3) THE PROGRAM SHALL ADHERE TO ALL APPLICABLE FEDERAL LAW
29 CONCERNING TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM AND STATE
30 MAINTENANCE OF EFFORT REQUIREMENTS.

31 (4) TEMPORARY ASSISTANCE FOR NEEDY FAMILIES AND STATE
32 MAINTENANCE OF EFFORT FUNDS MAY BE USED TO PROVIDE THE EDUCATIONAL
33 AND TRAINING EXPENSES OF THE TECHNICAL ASSISTANCE ORGANIZATIONS AND
34 SERVICE PROVIDERS.

35 (5) CHILD SUPPORT PAYMENTS ASSIGNED TO THE STATE ON BEHALF OF
36 AN APPLICANT OR RECIPIENT IN THE FAMILY INVESTMENT PROGRAM, UNDER § 50 OF
37 THIS ARTICLE SHALL BE USED TO MATCH PROGRAM PARTICIPANT'S CONTRIBUTIONS
38 TO THEIR SAVINGS ACCOUNTS AS PROVIDED UNDER FEDERAL LAW.

1 (F) (1) ~~THE INDIVIDUAL DEVELOPMENT ACCOUNT DEMONSTRATION~~
2 ~~PROGRAM SHALL:~~

3 (I) ~~BE CONDUCTED FROM JULY 1, 2002 TO JUNE 30, 2007;~~

4 (II) ~~BE LIMITED TO 600 PROGRAM PARTICIPANTS;~~

5 (III) ~~ALLOW FUNDS IN AN INDIVIDUAL DEVELOPMENT ACCOUNT TO~~
6 ~~BE MATCHED THROUGH THE PROGRAM FOR NO MORE THAN 3 YEARS FROM THE~~
7 ~~OPENING OF THE SAVINGS ACCOUNT; AND~~

8 (IV) ~~BE ALLOCATED NOT MORE THAN \$2,560,000.~~

9 (2) ~~THE DEPARTMENT SHALL PROVIDE THE ANNUALLY ALLOTTED~~
10 ~~FUNDING FOR THE PROGRAM TO THE TECHNICAL ASSISTANCE ORGANIZATIONS ON~~
11 ~~OR BEFORE JULY 1 OF EACH YEAR.~~

12 (3) ~~THE TECHNICAL ASSISTANCE ORGANIZATION OR ORGANIZATIONS~~
13 ~~SHALL SUBMIT AN ANNUAL WRITTEN REPORT TO THE SECRETARY ON OR BEFORE~~
14 ~~DECEMBER 31 OF EACH PROGRAM YEAR INCLUDING:~~

15 (I) ~~THE NUMBER OF PROGRAM PARTICIPANTS;~~

16 (II) ~~THE AMOUNT OF SAVINGS IN EACH INDIVIDUAL~~
17 ~~DEVELOPMENT ACCOUNT AND THE AMOUNT OF MATCHING FUNDS DEDICATED TO~~
18 ~~EACH ACCOUNT;~~

19 (III) ~~THE USES OF THE SAVINGS AND MATCHED FUNDS; AND~~

20 (IV) ~~ANY OTHER INFORMATION REQUIRED FOR THE STATE TO~~
21 ~~EVALUATE AND OPERATE THE PROGRAM.~~

22 (4) ~~THE SECRETARY SHALL SUBMIT AN ANNUAL EVALUATION OF THE~~
23 ~~PROGRAM, INCLUDING A FINANCIAL STATEMENT, TO THE SENATE FINANCE~~
24 ~~COMMITTEE, THE SENATE BUDGET AND TAXATION COMMITTEE, AND THE HOUSE~~
25 ~~APPROPRIATIONS COMMITTEE ON OR BEFORE JULY 1.~~

26 (5) ~~AT THE CONCLUSION OF THE 5-YEAR DEMONSTRATION THE~~
27 ~~SECRETARY SHALL PREPARE A WRITTEN REPORT TO THE APPROPRIATE~~
28 ~~COMMITTEES:~~

29 (I) ~~DESCRIBING THE PROGRAM'S EFFECT; AND~~

30 (II) ~~RECOMMENDING WHETHER THE PROGRAM SHOULD BE~~
31 ~~EXTENDED OR EXPANDED.~~

32 (6) ~~THE SECRETARY SHALL ADOPT REGULATIONS NECESSARY TO~~
33 ~~EFFECTIVELY IMPLEMENT THE PROGRAM.~~

34 (7) ~~FUNDING FOR THIS PROGRAM SHALL BE INCLUDED IN THE~~
35 ~~DEPARTMENT'S ANNUAL BUDGET.~~

1 **Article 41 - Governor - Executive and Administrative Departments**

2 SUBTITLE 4. COMMISSION ON RESPONSIBLE FATHERHOOD.

3 18-401.

4 IN THIS SUBTITLE "COMMISSION" MEANS THE COMMISSION ON RESPONSIBLE
5 FATHERHOOD.

6 18-402.

7 (A) THERE IS A COMMISSION ON RESPONSIBLE FATHERHOOD.

8 (B) THE COMMISSION SHALL BE INDEPENDENT AND LOCATED IN THE
9 DEPARTMENT OF HUMAN RESOURCES CHILD SUPPORT ENFORCEMENT
10 ADMINISTRATION FOR BUDGETARY AND ADMINISTRATIVE PURPOSES ONLY.

11 18-403.

12 (A) THE COMMISSION CONSISTS OF THE FOLLOWING 18 MEMBERS
13 APPOINTED BY THE GOVERNOR:

14 (1) THE SECRETARY OF HUMAN RESOURCES;

15 (2) THE SECRETARY OF HEALTH AND MENTAL HYGIENE;

16 (3) THE SECRETARY OF LABOR, LICENSING AND REGULATION;

17 (4) THE SECRETARY OF BUDGET AND MANAGEMENT;

18 (5) THE STATE SUPERINTENDENT OF SCHOOLS;

19 (6) THE SPECIAL SECRETARY OF THE OFFICE FOR CHILDREN, YOUTH,
20 AND FAMILIES;21 (7) ONE JUDGE ASSIGNED TO THE FAMILY DIVISION OF A CIRCUIT
22 COURT NOMINATED BY THE CHIEF JUDGE OF THE COURT OF APPEALS;23 (8) ONE MEMBER OF THE SENATE OF MARYLAND NOMINATED BY THE
24 PRESIDENT OF THE SENATE;25 (9) ONE MEMBER OF THE HOUSE OF DELEGATES OF MARYLAND
26 NOMINATED BY THE SPEAKER OF THE HOUSE;27 (10) THREE PERSONS WITH EXTENSIVE PROGRAMMATIC OR ACADEMIC
28 EXPERIENCE WITH NONCUSTODIAL FATHERS AND THEIR CHILDREN;29 (11) THREE PERSONS INCLUDING REPRESENTATIVES OF COMMUNITY,
30 PARENT, OR RELIGIOUS GROUPS OR ORGANIZATIONS WHO HAVE INTEREST OR
31 EXPERTISE IN MATTERS PERTAINING TO NONCUSTODIAL FATHERS AND THEIR
32 CHILDREN;

1 (12) TWO REPRESENTATIVES OF LOCAL GOVERNMENT IN AREAS WITH A
2 SIGNIFICANT INCIDENCE OF NONCUSTODIAL FATHERS; AND

3 (13) ONE NONCUSTODIAL FATHER.

4 (B) (1) THE TERM OF A MEMBER APPOINTED PURSUANT TO SUBSECTION
5 (A)(9), (10), AND (11) OF THIS SECTION SHALL BE 3 YEARS.

6 (2) THE TERMS OF THE MEMBERS APPOINTED PURSUANT TO
7 SUBSECTION (A)(12) OF THIS SECTION SHALL BE 2 YEARS.

8 (3) THE TERMS OF MEMBERS APPOINTED PURSUANT TO SUBSECTION
9 (A)(9), (10), (11), AND (12) OF THIS SECTION SHALL BE STAGGERED.

10 (4) AT THE END OF A TERM, A MEMBER SHALL CONTINUE TO SERVE
11 UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

12 (5) A MEMBER WHO IS APPOINTED PURSUANT TO SUBSECTION (A)(9),
13 (10), (11), OR (12) OF THIS SECTION AFTER A TERM HAS BEGUN SHALL SERVE ONLY
14 FOR THE REST OF THE TERM OR UNTIL A SUCCESSOR IS APPOINTED.

15 (C) THE GOVERNOR SHALL APPOINT A SUCCESSOR IN THE EVENT OF A
16 VACANCY ON THE COMMISSION.

17 (D) A MEMBER OF THE COMMISSION:

18 (1) MAY NOT RECEIVE COMPENSATION; BUT

19 (2) IS ENTITLED TO REIMBURSEMENT FOR REASONABLE EXPENSES
20 INCURRED IN THE PERFORMANCE OF COMMISSION DUTIES, IN ACCORDANCE WITH
21 STANDARD STATE TRAVEL REGULATIONS AND AS PROVIDED IN THE STATE BUDGET.

22 (E) FROM AMONG THE MEMBERS OF THE COMMISSION, THE GOVERNOR
23 SHALL DESIGNATE A CHAIRMAN FOR A 2-YEAR TERM.

24 18-404.

25 (A) A MAJORITY OF THE MEMBERS THEN SERVING ON THE COMMISSION IS A
26 QUORUM.

27 (B) A MEMBER APPOINTED UNDER § 18-403(A)(1) THROUGH (6) OF THIS
28 SUBTITLE MAY IN WRITING DESIGNATE AN ALTERNATE TO REPRESENT THE
29 MEMBER OF THE COMMISSION AND EXERCISE THE MEMBER'S POWER TO VOTE.

30 (C) THE COMMISSION SHALL DETERMINE THE TIMES AND PLACES OF ITS
31 MEETINGS AND ANY OTHER NECESSARY OPERATING PROCEDURES, INCLUDING THE
32 ESTABLISHMENT OF SUBCOMMITTEES OR WORK GROUPS UTILIZING THE EXPERTISE
33 OF NONCOMMISSION MEMBERS.

1 18-405.

2 (A) THE COMMISSION SHALL HIRE A STAFF DIRECTOR, SUBJECT TO THE
3 APPROVAL OF THE GOVERNOR, AND AS PROVIDED IN THE STATE BUDGET.

4 (B) THE STAFF DIRECTOR, SUBJECT TO THE ADVICE AND CONSENT OF THE
5 CHAIRMAN OF THE COMMISSION, SHALL HIRE SUCH ADDITIONAL STAFF AS
6 PROVIDED FOR IN THE STATE BUDGET TO PERFORM SUCH DUTIES AS ARE DEEMED
7 APPROPRIATE BY THE COMMISSION.

8 (C) THE STAFF SHALL BE RESPONSIBLE TO THE SECRETARY OF HUMAN
9 RESOURCES SOLELY FOR ROUTINE ADMINISTRATIVE PURPOSES.

10 (D) MEMBERS OF THE COMMISSION MAY DESIGNATE STAFF FROM THEIR
11 RESPECTIVE CONSTITUENT AGENCIES TO ASSIST THE COMMISSION.

12 18-406.

13 THE PURPOSE OF THE COMMISSION IS TO:

14 (1) RAISE AWARENESS OF THE PROBLEMS CREATED WHEN A CHILD IS
15 RAISED WITHOUT THE PRESENCE OF A RESPONSIBLE FATHER;

16 (2) IDENTIFY OBSTACLES THAT IMPEDE OR PREVENT THE
17 INVOLVEMENT OF RESPONSIBLE FATHERS IN THE LIVES OF THEIR CHILDREN; AND

18 (3) IDENTIFY STRATEGIES THAT ~~ARE SUCCESSFUL IN ENCOURAGING~~
19 ENCOURAGE RESPONSIBLE FATHERHOOD.

20 18-407.

21 (A) THE COMMISSION SHALL CONDUCT A THOROUGH EXAMINATION OF THE
22 EXTENT AND IMPLICATIONS OF THE ABSENCE OF RESPONSIBLE FATHERS FROM
23 FAMILIES AND IN DOING SO, SHALL:

24 (1) HOLD HEARINGS AT WHICH PERSONS, ORGANIZATIONS, AND
25 AGENCIES WITH AN INTEREST IN RESPONSIBLE FATHERHOOD MAY PRESENT THEIR
26 VIEWS;

27 (2) CONDUCT MEETINGS, DISCUSSIONS, AND EXAMINATIONS AS
28 NECESSARY TO GATHER INFORMATION ON THE LAWS AND SERVICES RELATING TO
29 RESPONSIBLE FATHERHOOD IN MARYLAND AND OTHER STATES;

30 (3) IDENTIFY AND EXAMINE THE LIMITATIONS AND PROBLEMS
31 ASSOCIATED WITH EXISTING LAWS, PROGRAMS, AND SERVICES RELATED TO
32 RESPONSIBLE FATHERHOOD; AND

33 (4) EXAMINE THE FINANCING AND DELIVERY OF SERVICES RELATED TO
34 RESPONSIBLE FATHERHOOD;

35 (B) THE COMMISSION SHALL:

1 (1) BE A STRONG ADVOCATE IN ENSURING THE DEVELOPMENT OF A
2 COORDINATED AND COMPREHENSIVE APPROACH TO THE SOCIAL, EDUCATIONAL,
3 ECONOMIC, HEALTH, AND LEGAL PROBLEMS OF RESPONSIBLE FATHERHOOD;

4 (2) IN COOPERATION WITH APPROPRIATE STATE AND LOCAL AGENCIES,
5 FOSTER PLANS TO ENHANCE THE COORDINATION OF ALL FEDERALLY OR STATE
6 FUNDED PROGRAMS AND SERVICES REGARDING RESPONSIBLE FATHERHOOD IN
7 ACCORDANCE WITH STATE AND FEDERAL LAW;

8 (3) DEVELOP A COORDINATED COMPREHENSIVE STATEWIDE PLAN,
9 INCLUDING ESTIMATES OF NECESSARY PUBLIC AND PRIVATE, STATE AND LOCAL
10 FUNDING, FOR INCREASING A FATHER'S PARTICIPATION IN RAISING HIS CHILDREN
11 AND IMPROVING SERVICES TO NONCUSTODIAL FATHERS;

12 (4) PROMOTE INTERDEPARTMENTAL AND PUBLIC AND PRIVATE POLICY,
13 AND PROGRAM COLLABORATION AND COORDINATION;

14 (5) COLLECT DATA AND PERFORM ANALYSIS ON ONGOING AND NEW
15 EFFORTS AIMED AT INCREASING RESPONSIBLE FATHERHOOD;

16 (6) PROMOTE THE DEVELOPMENT OF STATEWIDE POLICIES DESIGNED
17 TO ADDRESS ISSUES WHERE FATHERS ARE PREVENTED FROM PARTICIPATING IN
18 RAISING THEIR CHILDREN;

19 (7) MONITOR STATEWIDE PROGRESS TOWARDS THE GOAL OF REDUCING
20 THE NUMBER OF NONCUSTODIAL FATHERS;

21 (8) PROMOTE AND ENCOURAGE WIDE COMMUNITY INPUT,
22 COMMUNICATION, AND EDUCATION REGARDING RESPONSIBLE FATHERHOOD;

23 (9) PROVIDE ADVICE TO LOCAL PUBLIC AND PRIVATE AGENCIES
24 SEEKING TO MOBILIZE LOCAL EFFORTS DESIGNED TO PROMOTE RESPONSIBLE
25 FATHERHOOD; AND

26 (10) IN ACCORDANCE WITH THE STATEWIDE PLAN, RECOMMEND TO THE
27 GOVERNOR DISTRIBUTION OF COMMUNITY INCENTIVE GRANTS CONCERNING
28 RESPONSIBLE FATHERHOOD FROM FUNDS PROVIDED IN THE STATE BUDGET FOR
29 THIS PURPOSE, OR FROM GRANTS OR PRIVATE DONATIONS, GIVING PRIORITY TO
30 INNOVATIVE PROJECTS THAT:

31 (I) PROMOTE THE ESTABLISHMENT OF A COORDINATED NETWORK
32 OF SERVICES FOR NONCUSTODIAL FATHERS; AND

33 (II) DEMONSTRATE A HIGH LEVEL OF COMMITMENT TO THE
34 PROJECT BY MAKING AVAILABLE NONSTATE FUNDS, PERSONNEL, AND FACILITIES.

35 18-408.

36 THE COMMISSION MAY NOT OPERATE ANY PROGRAMS OR PROVIDE ANY DIRECT
37 SERVICES.

Article - Labor and Employment

1
2 8-626.1.

3 (a) In this section, "date of employment" means the date on which an
4 employee commences working for an employing unit.

5 (b) Except as provided in subsection (c) of this section, within 20 days of an
6 employee's beginning employment, the employee's employing unit shall submit to the
7 Secretary:

8 (1) the Social Security number of the employee;

9 (2) the name of the employee;

10 (3) the address of the employee;

11 (4) the date of employment;

12 (5) the employing unit's name and address;

13 (6) THE EMPLOYEE'S STARTING WAGE;

14 (7) WHETHER THE EMPLOYEE HAS HEALTH INSURANCE PROVIDED BY
15 THE EMPLOYING UNIT;

16 [(6)] (8) the federal employer identification number of the employing
17 unit; and

18 [(7)] (9) the State unemployment insurance account number of the
19 employing unit.

20 (c) (1) The employing unit shall report the required information by:

21 (i) mail;

22 (ii) magnetically or electronically; or

23 (iii) other means as determined by the Secretary.

24 (2) If an employing unit chooses to transmit data magnetically or
25 electronically at a rate of twice per month, then the report must be submitted not less
26 than 12 days or more than 16 days apart.

27 (3) (i) An employing unit that has employees in two or more states
28 and that transmits reports magnetically or electronically may designate one state in
29 which to transmit the report.

30 (ii) An employing unit that chooses to transmit the data to another
31 state shall provide the Secretary with the name of the state receiving the report.

- 1 (d) (1) Any employing unit that fails to report as required:
2 (i) shall be given a written warning for the first violation; and
3 (ii) shall be subject to a civil penalty of \$20 for each month in which
4 a subsequent violation occurs, or \$500 if the failure is the result of a conspiracy
5 between the employer and the employee to not supply the required report or to supply
6 a false or incomplete report, unless the Secretary waives the penalty for cause.
- 7 (2) All violations occurring in a single month to the same employing unit
8 shall be considered a single violation.
- 9 (e) An assessment under this section is final unless, within 15 days after the
10 mailing of the assessment, an employing unit applies to the Secretary for a hearing.
11 The Secretary may forward the application to the Office of Administrative Hearings
12 for adjudication.
- 13 (f) The Department of Human Resources shall reimburse the Secretary for all
14 costs incurred to carry out this section.

15

Chapter 671 of the Acts of 2000

16 SECTION 6. AND BE IT FURTHER ENACTED, That the changes to § 13-106
17 of the State Finance and Procurement Article, as enacted under Section 1 of this Act,
18 shall remain effective for a period of [1 year] 2 YEARS and, at the end of June 30,
19 [2001] 2002, with no further action required by the General Assembly, the changes to
20 § 13-106 of the State Finance and Procurement Article as enacted under Section 1 of
21 this Act shall be abrogated and of no further force and effect.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2001.