

SENATE BILL 541

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2001 Regular Session
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By: **Senators Madden, Currie, DeGrange, Exum, Hafer, Kelley, McFadden,
Mitchell, Roesser, and Teitelbaum**

Introduced and read first time: February 2, 2001

Assigned to: Finance

A BILL ENTITLED

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; increasing
7 the period of time used to determine the eligibility of a former FIP recipient to
8 participate in the Job Skills Enhancement Program; authorizing a local
9 department of social services to work with businesses to train and place former
10 FIP recipients in certain positions; requiring the Secretary of Human Resources
11 to establish a mentoring program for former FIP recipients; specifying that FIP
12 caseworkers may be mentors; authorizing the Department to contract with other
13 organizations to acquire mentors; specifying the activities that may be included
14 as mentoring; specifying criteria for eligibility to participate in the mentoring
15 program; limiting participation in the mentoring program to a certain amount of
16 time; authorizing the Secretary to provide pay or other incentives for mentors;
17 requiring the Secretary to initiate an Individual Development Account
18 Demonstration Program with certain purposes and terms; requiring that
19 participants meet certain eligibility requirements and limit use of the account to
20 certain purchases; requiring participating individuals and organizations to
21 perform certain functions; establishing the scope and funding for the Program;
22 requiring the Department to submit an annual evaluation of the Program to the
23 General Assembly; establishing a Commission on Responsible Fatherhood;
24 specifying the membership requirements and length of terms for the
25 Commission on Responsible Fatherhood; providing for expense reimbursement
26 for members of the Commission on Responsible Fatherhood; specifying the
27 meeting and voting procedures of the Commission on Responsible Fatherhood;
28 requiring the Commission on Responsible Fatherhood to hire certain staff;
29 specifying the purposes and duties of the Commission on Responsible
30 Fatherhood; prohibiting the Commission on Responsible Fatherhood from
31 operating any programs or providing any direct services; expanding the
32 reporting requirements for employers who hire new employees; extending a
33 certain reporting date and termination date; defining certain terms; making
34 certain stylistic and technical changes; and generally relating to welfare reform.

1 BY repealing and reenacting, with amendments,
2 Article 88A - Department of Human Resources
3 Section 47(d) and 53A
4 Annotated Code of Maryland
5 (1998 Replacement Volume and 2000 Supplement)

6 BY adding to
7 Article 88A - Department of Human Resources
8 Section 56 and 57
9 Annotated Code of Maryland
10 (1998 Replacement Volume and 2000 Supplement)

11 BY adding to
12 Article 41 - Governor - Executive and Administrative Departments
13 Section 18-401 through 18-408, inclusive, to be under the new subtitle "Subtitle
14 4. Commission on Responsible Fatherhood"
15 Annotated Code of Maryland
16 (1997 Replacement Volume and 2000 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article - Labor and Employment
19 Section 8-626.1
20 Annotated Code of Maryland
21 (1999 Replacement Volume and 2000 Supplement)

22 BY repealing and reenacting, with amendments,
23 Chapter 671 of the Acts of the General Assembly of 2000
24 Section 6

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

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

28 47.

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

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

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

- 1 (2) An institution of higher education shall:
- 2 (i) Meet with the local department about developing services for
3 FIP recipients in the jurisdiction in which the institution is located;
- 4 (ii) Advise the local department of the services available for FIP
5 recipients; and
- 6 (iii) By September 15 of each year, provide to the Maryland Higher
7 Education Commission, a report on efforts to encourage and identify student
8 volunteers and identify services provided under the provisions of this subsection.
- 9 (3) By December 1 of each year, the Maryland Higher Education
10 Commission shall submit a report, subject to § 2-1246 of the State Government
11 Article, to the Joint Committee on Welfare Reform regarding the services provided
12 under the provisions of this subsection.

13 53A.

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

- 19 (1) Enhance their existing job-related skills;
- 20 (2) Gain additional or alternative job skills; or
- 21 (3) Learn interpersonal, communication, and other related skills.

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

25 (c) (1) Participation in the job skills enhancement program shall be
26 voluntary.

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

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

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

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

1 (3) Provide employer validation or other documentation of employment
2 status;

3 (4) Possess limited job skills; and

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

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

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

11 (2) PARTICIPATING BUSINESSES SHALL:

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

13 (II) PROVIDE FORMER FIP RECIPIENTS EMPLOYMENT THAT HAS A
14 DEFINED CAREER PATH;

15 (III) DEMONSTRATE THE ACTIVE INVOLVEMENT AND FINANCIAL
16 COMMITMENT OF THE BUSINESS; AND

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

19 [(f)] (G) (1) At the discretion of the Secretary, in consultation with the local
20 department director, the job skills enhancement program shall be administered by the
21 local department or through the State service delivery area system under the [Job
22 Training Partnership Act (JTPA)] WORKFORCE INVESTMENT ACT.

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

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

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

28 (iii) Compile necessary fiscal reports on the job skills enhancement
29 program.

30 56.

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

1 (B) THE MENTORING PROGRAM MAY INCLUDE FAMILY INVESTMENT
2 PROGRAM CASEWORKERS IN LOCAL DEPARTMENTS WHO VOLUNTEER TO BE
3 MENTORS.

4 (C) THE DEPARTMENT MAY CONTRACT WITH OTHER ORGANIZATIONS UNDER
5 § 47 OF THIS ARTICLE TO ACQUIRE MENTORS FOR FORMER FIP RECIPIENTS.

6 (D) MENTORING MAY INCLUDE:

7 (1) PROVIDING ASSISTANCE TO RESOLVE WORKPLACE PROBLEMS;

8 (2) PROVIDING WORKPLACE ADJUSTMENT ASSISTANCE;

9 (3) JOB COACHING;

10 (4) LIFE SKILLS;

11 (5) COUNSELING AND TUTORING; AND

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

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

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

17 (2) HAVE BEEN EMPLOYED; AND

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

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

22 (G) THE SECRETARY MAY ARRANGE TO PROVIDE PAY OR OTHER TYPES OF
23 INCENTIVES TO EMPLOYEES WHO VOLUNTEER TO MENTOR FORMER FIP
24 RECIPIENTS.

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

27 57.

28 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
29 INDICATED.

30 (2) "INDIVIDUAL DEVELOPMENT ACCOUNT" MEANS A SAVINGS
31 ACCOUNT OPENED BY A PROGRAM PARTICIPANT UNDER THE TERMS OF THE
32 PROGRAM THAT WILL BE THE BASIS FOR DETERMINING THE AMOUNT OF MATCHING
33 FUNDS PROVIDED TO THE PARTICIPANT UNDER THE PROGRAM.

1 (3) "PROGRAM" MEANS THE INDIVIDUAL DEVELOPMENT ACCOUNT
2 DEMONSTRATION PROGRAM DESCRIBED IN THIS SECTION.

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

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

9 (6) "TECHNICAL ASSISTANCE ORGANIZATION" MEANS AN
10 ORGANIZATION THAT PROVIDES TECHNICAL ASSISTANCE, TRAINING, PROGRAM
11 DESIGN, TRACKING, AND EVALUATION TO THE SERVICE PROVIDERS.

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

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

18 (3) ELIGIBILITY FOR PARTICIPATION IN THE PROGRAM SHALL BE
19 LIMITED TO INDIVIDUALS WHO MEET THE FOLLOWING CRITERIA:

20 (I) THE INDIVIDUAL IS AN APPLICANT OR RECIPIENT IN THE
21 FAMILY INVESTMENT PROGRAM;

22 (II) THE INDIVIDUAL IS RECEIVING CHILD SUPPORT PAYMENTS
23 ASSIGNED UNDER § 50 OF THIS ARTICLE; AND

24 (III) THE INDIVIDUAL HAS DEMONSTRATED A WILLINGNESS TO
25 ENTER INTO A CONTRACT TO SAVE MONEY FOR ASSET PURCHASE.

26 (4) INDIVIDUAL DEVELOPMENT ACCOUNTS MAY BE USED BY PROGRAM
27 PARTICIPANTS FOR THE FOLLOWING:

28 (I) POSTSECONDARY AND VOCATIONAL EDUCATIONAL EXPENSES;

29 (II) ACQUISITION COSTS FOR A HOME;

30 (III) MAJOR HOME REPAIRS PROVIDING STRUCTURAL
31 IMPROVEMENTS THAT WILL LAST AT LEAST 10 YEARS; AND

32 (IV) AMOUNTS PAID DIRECTLY INTO A BUSINESS CAPITALIZATION
33 ACCOUNT THAT IS:

34 1. ESTABLISHED IN A FEDERALLY INSURED FINANCIAL
35 INSTITUTION; AND

1 (XI) LIMIT THE NUMBER OF PROGRAM PARTICIPANTS UNDER ITS
2 SUPERVISION TO 150; AND

3 (XII) PROVIDE OTHER SERVICES NECESSARY FOR THE EFFECTIVE
4 IMPLEMENTATION OF THIS PROGRAM.

5 (3) A TECHNICAL ASSISTANCE ORGANIZATION SHALL:

6 (I) MANAGE THE RESERVE FUND CONSISTING OF THE
7 DEPARTMENT'S ANNUAL FUNDING FOR THE PROGRAM BY:

8 1. RECEIVING ALLOCATED FUNDING FROM THE
9 DEPARTMENT AND MAINTAINING IT IN A FEDERALLY INSURED INSTITUTION;

10 2. TRANSMITTING MATCHING STATE FUNDS AND DONATED
11 PRIVATE FUNDS TO THE SERVICE PROVIDERS;

12 3. TRANSMITTING \$200 PER PROGRAM PARTICIPANT FOR A
13 MAXIMUM OF 3 YEARS TO EACH SERVICE PROVIDER FOR TRAINING AND
14 EDUCATIONAL EXPENSES;

15 4. DEPOSITING PRIVATE DONATIONS; AND

16 5. REDEPOSITING FUNDING RETURNED BY SERVICE
17 PROVIDERS;

18 (II) SOLICIT NONPROFIT ORGANIZATIONS TO APPLY TO BECOME
19 SERVICE PROVIDERS;

20 (III) SELECT SERVICE PROVIDERS FROM APPLICANTS BASED ON
21 FACTORS INCLUDING:

22 1. STABILITY;

23 2. GEOGRAPHICAL DISTRIBUTION; AND

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

26 (IV) PROVIDE TECHNICAL ASSISTANCE AND TRAINING IN
27 FINANCIAL LITERACY AND PROGRAM DESIGN TO SERVICE PROVIDERS;

28 (V) TRACK AND EVALUATE PROGRAM PARTICIPATION;

29 (VI) ASSIST SERVICE PROVIDERS IN ADVERTISING THE PROGRAM;

30 (VII) PROVIDE CONSULTATION TO SERVICE PROVIDERS AS NEEDED;

31 (VIII) INCLUDE STAKEHOLDERS IN THE DEVELOPMENT AND
32 IMPLEMENTATION OF THE PROGRAM; AND

1 (IX) SOLICIT CONTRIBUTIONS FROM PRIVATE ENTITIES.

2 (4) THE SECRETARY SHALL:

3 (I) SOLICIT PROPOSALS FROM ENTITIES INTERESTED IN
4 BECOMING TECHNICAL ASSISTANCE ORGANIZATIONS;

5 (II) SELECT ONE OR MORE TECHNICAL ASSISTANCE
6 ORGANIZATIONS BASED ON FACTORS INCLUDING:

7 1. STABILITY; AND

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

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

12 (D) (1) THE CONTRACT BETWEEN THE PROGRAM PARTICIPANT AND THE
13 SERVICE PROVIDER SHALL PROVIDE THAT MONEY MAY BE WITHDRAWN BY A
14 PROGRAM PARTICIPANT FROM AN INDIVIDUAL DEVELOPMENT ACCOUNT OTHER
15 THAN FOR QUALIFIED PURPOSES ONLY FOR EMERGENCIES:

16 (I) AS DETERMINED BY THE DEPARTMENT; AND

17 (II) IF REPLACED WITHIN 6 MONTHS.

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

22 (I) WITHHOLD ANY MATCHING FUNDS; AND

23 (II) TERMINATE THE INDIVIDUAL'S CONTRACT WITH THE SERVICE
24 PROVIDER.

25 (3) THE TECHNICAL ASSISTANCE ORGANIZATIONS SHALL ESTABLISH A
26 GRIEVANCE PROCESS TO HEAR, REVIEW, AND DECIDE IN WRITING ANY GRIEVANCE
27 MADE BY A PROGRAM PARTICIPANT WHO DISPUTES A DECISION BY THE SERVICE
28 PROVIDER.

29 (4) THE TECHNICAL ASSISTANCE ORGANIZATIONS SHALL DEVELOP
30 PROCEDURES TO FOLLOW WHEN A PROGRAM PARTICIPANT MOVES FROM THE
31 COMMUNITY OR IS OTHERWISE UNABLE TO CONTINUE TO PARTICIPATE IN THE
32 PROGRAM.

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

1 (II) A FEDERALLY INSURED FINANCIAL INSTITUTION HAS NO DUTY
2 OR RESPONSIBILITY TO RECOGNIZE OR GIVE EFFECT TO ANY WITHDRAWAL
3 RESTRICTION ESTABLISHED IN THE CONTRACT BETWEEN THE PROGRAM
4 PARTICIPANT AND THE SERVICE PROVIDER.

5 (E) (1) THE STATE SHALL PROVIDE MATCHING FUNDS IN THE AMOUNT OF
6 \$2 TO EACH DOLLAR DEPOSITED IN THE INDIVIDUAL DEVELOPMENT ACCOUNT BY
7 THE PROGRAM PARTICIPANT.

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

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

13 (4) TEMPORARY ASSISTANCE FOR NEEDY FAMILIES AND STATE
14 MAINTENANCE OF EFFORT FUNDS MAY BE USED TO PROVIDE THE EDUCATIONAL
15 AND TRAINING EXPENSES OF THE TECHNICAL ASSISTANCE ORGANIZATIONS AND
16 SERVICE PROVIDERS.

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

21 (F) (1) THE INDIVIDUAL DEVELOPMENT ACCOUNT DEMONSTRATION
22 PROGRAM SHALL:

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

24 (II) BE LIMITED TO 600 PROGRAM PARTICIPANTS;

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

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

29 (2) THE DEPARTMENT SHALL PROVIDE THE ANNUALLY ALLOTTED
30 FUNDING FOR THE PROGRAM TO THE TECHNICAL ASSISTANCE ORGANIZATIONS ON
31 OR BEFORE JULY 1 OF EACH YEAR.

32 (3) THE TECHNICAL ASSISTANCE ORGANIZATION OR ORGANIZATIONS
33 SHALL SUBMIT AN ANNUAL WRITTEN REPORT TO THE SECRETARY ON OR BEFORE
34 DECEMBER 31 OF EACH PROGRAM YEAR INCLUDING:

35 (I) THE NUMBER OF PROGRAM PARTICIPANTS;

1 (II) THE AMOUNT OF SAVINGS IN EACH INDIVIDUAL
2 DEVELOPMENT ACCOUNT AND THE AMOUNT OF MATCHING FUNDS DEDICATED TO
3 EACH ACCOUNT;

4 (III) THE USES OF THE SAVINGS AND MATCHED FUNDS; AND

5 (IV) ANY OTHER INFORMATION REQUIRED FOR THE STATE TO
6 EVALUATE AND OPERATE THE PROGRAM.

7 (4) THE SECRETARY SHALL SUBMIT AN ANNUAL EVALUATION OF THE
8 PROGRAM, INCLUDING A FINANCIAL STATEMENT, TO THE SENATE FINANCE
9 COMMITTEE, THE SENATE BUDGET AND TAXATION COMMITTEE, AND THE HOUSE
10 APPROPRIATIONS COMMITTEE ON OR BEFORE JULY 1.

11 (5) AT THE CONCLUSION OF THE 5-YEAR DEMONSTRATION THE
12 SECRETARY SHALL PREPARE A WRITTEN REPORT TO THE APPROPRIATE
13 COMMITTEES:

14 (I) DESCRIBING THE PROGRAM'S EFFECT; AND

15 (II) RECOMMENDING WHETHER THE PROGRAM SHOULD BE
16 EXTENDED OR EXPANDED.

17 (6) THE SECRETARY SHALL ADOPT REGULATIONS NECESSARY TO
18 EFFECTIVELY IMPLEMENT THE PROGRAM.

19 (7) FUNDING FOR THIS PROGRAM SHALL BE INCLUDED IN THE
20 DEPARTMENT'S ANNUAL BUDGET.

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

22 SUBTITLE 4. COMMISSION ON RESPONSIBLE FATHERHOOD.

23 18-401.

24 IN THIS SUBTITLE "COMMISSION" MEANS THE COMMISSION ON RESPONSIBLE
25 FATHERHOOD.

26 18-402.

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

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

31 18-403.

32 (A) THE COMMISSION CONSISTS OF THE FOLLOWING 18 MEMBERS
33 APPOINTED BY THE GOVERNOR:

- 1 (1) THE SECRETARY OF HUMAN RESOURCES;
 - 2 (2) THE SECRETARY OF HEALTH AND MENTAL HYGIENE;
 - 3 (3) THE SECRETARY OF LABOR, LICENSING AND REGULATION;
 - 4 (4) THE SECRETARY OF BUDGET AND MANAGEMENT;
 - 5 (5) THE STATE SUPERINTENDENT OF SCHOOLS;
 - 6 (6) THE SPECIAL SECRETARY OF THE OFFICE FOR CHILDREN, YOUTH,
7 AND FAMILIES;
 - 8 (7) ONE JUDGE ASSIGNED TO THE FAMILY DIVISION OF A CIRCUIT
9 COURT NOMINATED BY THE CHIEF JUDGE OF THE COURT OF APPEALS;
 - 10 (8) ONE MEMBER OF THE SENATE OF MARYLAND NOMINATED BY THE
11 PRESIDENT OF THE SENATE;
 - 12 (9) ONE MEMBER OF THE HOUSE OF DELEGATES OF MARYLAND
13 NOMINATED BY THE SPEAKER OF THE HOUSE;
 - 14 (10) THREE PERSONS WITH EXTENSIVE PROGRAMMATIC OR ACADEMIC
15 EXPERIENCE WITH NONCUSTODIAL FATHERS AND THEIR CHILDREN;
 - 16 (11) THREE PERSONS INCLUDING REPRESENTATIVES OF COMMUNITY,
17 PARENT, OR RELIGIOUS GROUPS OR ORGANIZATIONS WHO HAVE INTEREST OR
18 EXPERTISE IN MATTERS PERTAINING TO NONCUSTODIAL FATHERS AND THEIR
19 CHILDREN;
 - 20 (12) TWO REPRESENTATIVES OF LOCAL GOVERNMENT IN AREAS WITH A
21 SIGNIFICANT INCIDENCE OF NONCUSTODIAL FATHERS; AND
 - 22 (13) ONE NONCUSTODIAL FATHER.
- 23 (B) (1) THE TERM OF A MEMBER APPOINTED PURSUANT TO SUBSECTION
24 (A)(9), (10), AND (11) OF THIS SECTION SHALL BE 3 YEARS.
- 25 (2) THE TERMS OF THE MEMBERS APPOINTED PURSUANT TO
26 SUBSECTION (A)(12) OF THIS SECTION SHALL BE 2 YEARS.
- 27 (3) THE TERMS OF MEMBERS APPOINTED PURSUANT TO SUBSECTION
28 (A)(9), (10), (11), AND (12) OF THIS SECTION SHALL BE STAGGERED.
- 29 (4) AT THE END OF A TERM, A MEMBER SHALL CONTINUE TO SERVE
30 UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.
- 31 (5) A MEMBER WHO IS APPOINTED PURSUANT TO SUBSECTION (A)(9),
32 (10), (11), OR (12) OF THIS SECTION AFTER A TERM HAS BEGUN SHALL SERVE ONLY
33 FOR THE REST OF THE TERM OR UNTIL A SUCCESSOR IS APPOINTED.

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

3 (D) A MEMBER OF THE COMMISSION:

4 (1) MAY NOT RECEIVE COMPENSATION; BUT

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

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

10 18-404.

11 (A) A MAJORITY OF THE MEMBERS THEN SERVING ON THE COMMISSION IS A
12 QUORUM.

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

16 (C) THE COMMISSION SHALL DETERMINE THE TIMES AND PLACES OF ITS
17 MEETINGS AND ANY OTHER NECESSARY OPERATING PROCEDURES, INCLUDING THE
18 ESTABLISHMENT OF SUBCOMMITTEES OR WORK GROUPS UTILIZING THE EXPERTISE
19 OF NONCOMMISSION MEMBERS.

20 18-405.

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

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

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

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

31 18-406.

32 THE PURPOSE OF THE COMMISSION IS TO:

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

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

3 (3) IDENTIFY STRATEGIES THAT ARE SUCCESSFUL IN ENCOURAGING
4 RESPONSIBLE FATHERHOOD.

5 18-407.

6 (A) THE COMMISSION SHALL CONDUCT A THOROUGH EXAMINATION OF THE
7 EXTENT AND IMPLICATIONS OF THE ABSENCE OF RESPONSIBLE FATHERS FROM
8 FAMILIES AND IN DOING SO, SHALL:

9 (1) HOLD HEARINGS AT WHICH PERSONS, ORGANIZATIONS, AND
10 AGENCIES WITH AN INTEREST IN RESPONSIBLE FATHERHOOD MAY PRESENT THEIR
11 VIEWS;

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

15 (3) IDENTIFY AND EXAMINE THE LIMITATIONS AND PROBLEMS
16 ASSOCIATED WITH EXISTING LAWS, PROGRAMS, AND SERVICES RELATED TO
17 RESPONSIBLE FATHERHOOD; AND

18 (4) EXAMINE THE FINANCING AND DELIVERY OF SERVICES RELATED TO
19 RESPONSIBLE FATHERHOOD;

20 (B) THE COMMISSION SHALL:

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

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

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

32 (4) PROMOTE INTERDEPARTMENTAL AND PUBLIC AND PRIVATE POLICY,
33 AND PROGRAM COLLABORATION AND COORDINATION;

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

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

4 (7) MONITOR STATEWIDE PROGRESS TOWARDS THE GOAL OF REDUCING
5 THE NUMBER OF NONCUSTODIAL FATHERS;

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

8 (9) PROVIDE ADVICE TO LOCAL PUBLIC AND PRIVATE AGENCIES
9 SEEKING TO MOBILIZE LOCAL EFFORTS DESIGNED TO PROMOTE RESPONSIBLE
10 FATHERHOOD; AND

11 (10) IN ACCORDANCE WITH THE STATEWIDE PLAN, RECOMMEND TO THE
12 GOVERNOR DISTRIBUTION OF COMMUNITY INCENTIVE GRANTS CONCERNING
13 RESPONSIBLE FATHERHOOD FROM FUNDS PROVIDED IN THE STATE BUDGET FOR
14 THIS PURPOSE, OR FROM GRANTS OR PRIVATE DONATIONS, GIVING PRIORITY TO
15 INNOVATIVE PROJECTS THAT:

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

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

20 18-408.

21 THE COMMISSION MAY NOT OPERATE ANY PROGRAMS OR PROVIDE ANY DIRECT
22 SERVICES.

23 **Article - Labor and Employment**

24 8-626.1.

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

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

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

31 (2) the name of the employee;

32 (3) the address of the employee;

33 (4) the date of employment;

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

1 (6) THE EMPLOYEE'S STARTING WAGE;

2 (7) WHETHER THE EMPLOYEE HAS HEALTH INSURANCE PROVIDED BY
3 THE EMPLOYING UNIT;

4 [(6)] (8) the federal employer identification number of the employing
5 unit; and

6 [(7)] (9) the State unemployment insurance account number of the
7 employing unit.

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

9 (i) mail;

10 (ii) magnetically or electronically; or

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

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

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

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

20 (d) (1) Any employing unit that fails to report as required:

21 (i) shall be given a written warning for the first violation; and

22 (ii) shall be subject to a civil penalty of \$20 for each month in which
23 a subsequent violation occurs, or \$500 if the failure is the result of a conspiracy
24 between the employer and the employee to not supply the required report or to supply
25 a false or incomplete report, unless the Secretary waives the penalty for cause.

26 (2) All violations occurring in a single month to the same employing unit
27 shall be considered a single violation.

28 (e) An assessment under this section is final unless, within 15 days after the
29 mailing of the assessment, an employing unit applies to the Secretary for a hearing.
30 The Secretary may forward the application to the Office of Administrative Hearings
31 for adjudication.

32 (f) The Department of Human Resources shall reimburse the Secretary for all
33 costs incurred to carry out this section.

1

Chapter 671 of the Acts of 2000

2 SECTION 6. AND BE IT FURTHER ENACTED, That the changes to § 13-106
3 of the State Finance and Procurement Article, as enacted under Section 1 of this Act,
4 shall remain effective for a period of [1 year] 2 YEARS and, at the end of June 30,
5 [2001] 2002, with no further action required by the General Assembly, the changes to
6 § 13-106 of the State Finance and Procurement Article as enacted under Section 1 of
7 this Act shall be abrogated and of no further force and effect.

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