

SENATE BILL 541

Unofficial Copy
01

2001 Regular Session
11r1419
CF 11r1420

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

Introduced and read first time: February 2, 2001

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 13, 2001

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
17 program for former FIP recipients; specifying that FIP caseworkers may be
18 mentors; authorizing the Department to contract with other organizations to
19 acquire mentors; specifying the activities that may be included as mentoring;
20 specifying criteria for eligibility to participate in the mentoring program;
21 limiting participation in the mentoring program to a certain amount of time;
22 authorizing the Secretary to provide pay or other incentives for mentors;
23 ~~requiring the Secretary to initiate an Individual Development Account~~
24 ~~Demonstration Program with certain purposes and terms; requiring that~~
25 ~~participants meet certain eligibility requirements and limit use of the account to~~
26 ~~certain purchases; requiring participating individuals and organizations to~~
27 ~~perform certain functions; establishing the scope and funding for the Program;~~

1 ~~requiring the Department to submit an annual evaluation of the Program to the~~
2 ~~General Assembly~~; establishing a Commission on Responsible Fatherhood;
3 specifying the membership requirements and length of terms for the
4 Commission on Responsible Fatherhood; providing for expense reimbursement
5 for members of the Commission on Responsible Fatherhood; specifying the
6 meeting and voting procedures of the Commission on Responsible Fatherhood;
7 requiring the Commission on Responsible Fatherhood to hire certain staff;
8 specifying the purposes and duties of the Commission on Responsible
9 Fatherhood; prohibiting the Commission on Responsible Fatherhood from
10 operating any programs or providing any direct services; expanding the
11 reporting requirements for employers who hire new employees; extending a
12 certain reporting date and termination date; defining certain terms; making
13 certain stylistic and technical changes; and generally relating to welfare reform.

14 BY repealing and reenacting, with amendments,
15 Article 88A - Department of Human Resources
16 Section ~~47(d)~~ 47(d), 51, and 53A
17 Annotated Code of Maryland
18 (1998 Replacement Volume and 2000 Supplement)

19 BY adding to
20 Article 88A - Department of Human Resources
21 Section 56 ~~and 57~~
22 Annotated Code of Maryland
23 (1998 Replacement Volume and 2000 Supplement)

24 BY adding to
25 Article 41 - Governor - Executive and Administrative Departments
26 Section 18-401 through 18-408, inclusive, to be under the new subtitle "Subtitle
27 4. Commission on Responsible Fatherhood"
28 Annotated Code of Maryland
29 (1997 Replacement Volume and 2000 Supplement)

30 BY repealing and reenacting, with amendments,
31 Article - Labor and Employment
32 Section 8-626.1
33 Annotated Code of Maryland
34 (1999 Replacement Volume and 2000 Supplement)

35 BY repealing and reenacting, with amendments,
36 Chapter 671 of the Acts of the General Assembly of 2000
37 Section 6

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

Article 88A - Department of Human Resources

2 47.

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

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

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

11 (2) An institution of higher education shall:

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

14 (ii) Advise the local department of the services available for FIP
15 recipients; and

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

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

23 51.

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

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

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

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

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

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

4 (1) PROCEDURES UNDER WHICH LOCAL DEPARTMENTS OF SOCIAL
5 SERVICES MAY EXEMPT FAMILIES FROM THE LIMITATIONS OF SUBSECTION (A)(1) OF
6 THIS SECTION FOR REASONS OF HARDSHIP; AND

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

9 (I) IS FUNDED ENTIRELY FROM STATE GENERAL FUNDS THAT
10 MAY BE COUNTED TOWARD ANY FEDERAL MAINTENANCE OF EFFORT
11 REQUIREMENT;

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

15 (III) IS SUBJECT TO ALL FAMILY INVESTMENT PROGRAM
16 REQUIREMENTS IN THIS TITLE.

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

18 53A.

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

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

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

30 (c) (1) Participation in the job skills enhancement program shall be
31 voluntary.

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

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

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

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

7 (3) Provide employer validation or other documentation of employment
8 status;

9 (4) Possess limited job skills; and

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

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

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

17 (2) PARTICIPATING BUSINESSES SHALL:

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

19 (II) PROVIDE FORMER FIP RECIPIENTS EMPLOYMENT THAT HAS A
20 DEFINED CAREER PATH;

21 (III) DEMONSTRATE THE ACTIVE INVOLVEMENT AND FINANCIAL
22 COMMITMENT OF THE BUSINESS; AND

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

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

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

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

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

34 (iii) Compile necessary fiscal reports on the job skills enhancement
35 program.

1 56.

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

5 (B) THE MENTORING PROGRAM MAY INCLUDE FAMILY INVESTMENT
6 PROGRAM CASEWORKERS IN LOCAL DEPARTMENTS WHO VOLUNTEER TO BE
7 MENTORS.

8 (C) THE DEPARTMENT MAY CONTRACT WITH OTHER ORGANIZATIONS UNDER
9 § 47 OF THIS ARTICLE TO ACQUIRE MENTORS FOR FORMER FIP RECIPIENTS.

10 (D) MENTORING MAY INCLUDE:

11 (1) PROVIDING ASSISTANCE TO RESOLVE WORKPLACE PROBLEMS;

12 (2) PROVIDING WORKPLACE ADJUSTMENT ASSISTANCE;

13 (3) JOB COACHING;

14 (4) LIFE SKILLS;

15 (5) COUNSELING AND TUTORING; AND

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

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

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

21 (2) HAVE BEEN EMPLOYED; AND

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

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

26 (G) THE SECRETARY MAY ARRANGE TO PROVIDE PAY OR OTHER TYPES OF
27 INCENTIVES TO EMPLOYEES WHO VOLUNTEER TO MENTOR FORMER FIP
28 RECIPIENTS.

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

1 ~~57.~~

2 (A) (1) ~~IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~
3 ~~INDICATED.~~

4 (2) ~~"INDIVIDUAL DEVELOPMENT ACCOUNT" MEANS A SAVINGS~~
5 ~~ACCOUNT OPENED BY A PROGRAM PARTICIPANT UNDER THE TERMS OF THE~~
6 ~~PROGRAM THAT WILL BE THE BASIS FOR DETERMINING THE AMOUNT OF MATCHING~~
7 ~~FUNDS PROVIDED TO THE PARTICIPANT UNDER THE PROGRAM.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (IV) AMOUNTS PAID DIRECTLY INTO A BUSINESS CAPITALIZATION
4 ACCOUNT THAT IS:

5 1. ESTABLISHED IN A FEDERALLY INSURED FINANCIAL
6 INSTITUTION; AND

7 2. RESTRICTED TO USE FOR QUALIFIED BUSINESS
8 EXPENSES, AS DETERMINED BY THE SERVICE PROVIDER.

9 (C) (1) AN INDIVIDUAL SELECTED FOR PARTICIPATION IN THE PROGRAM
10 SHALL:

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

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

14 (III) SELECT PURCHASE GOALS FOR WHICH THE SAVINGS WILL BE
15 USED;

16 (IV) INFORM THE NONCUSTODIAL FATHER OF THE FIP RECIPIENT'S
17 PROGRAM PARTICIPATION; AND

18 (V) COMMUNICATE REGULARLY WITH THE SERVICE PROVIDER
19 REGARDING THE ACCOUNT.

20 (2) A SERVICE PROVIDER SHALL:

21 (I) RECRUIT AND SELECT ELIGIBLE PROGRAM PARTICIPANTS;

22 (II) HELP ELIGIBLE PROGRAM PARTICIPANTS OPEN INDIVIDUAL
23 DEVELOPMENT ACCOUNTS IN FEDERALLY INSURED INSTITUTIONS;

24 (III) PROVIDE FINANCIAL LITERACY TRAINING;

25 (IV) HELP PROGRAM PARTICIPANTS IDENTIFY APPROPRIATE USES
26 FOR THE SAVINGS;

27 (V) SOLICIT DONATIONS FROM PRIVATE ENTITIES INCLUDING THE
28 FINANCIAL INSTITUTION AT WHICH THE INDIVIDUAL DEVELOPMENT ACCOUNTS
29 ARE LOCATED;

30 (VI) MAINTAIN A POOL FUND CONSISTING OF STATE MATCHING
31 FUNDS AND PRIVATE DONATIONS;

32 (VII) AFTER OBTAINING WRITTEN AUTHORIZATION FROM THE
33 PROGRAM PARTICIPANT, SHARE ALL ACCOUNT INFORMATION WITH THE ASSIGNED
34 TECHNICAL ASSISTANCE ORGANIZATION;

1 (VIII) ~~HELP INDIVIDUALS RECEIVE THEIR SAVINGS AND MATCHING~~
2 ~~FUNDS AT THE CONCLUSION OF THE PROGRAM;~~

3 (IX) ~~PROVIDE OR IDENTIFY SUPPORTIVE SERVICES TO HELP THE~~
4 ~~PROGRAM PARTICIPANT REACH THE OUTCOME SELECTED;~~

5 (X) ~~LINK PROGRAM PARTICIPANTS TO OTHER ACTIVITIES THAT~~
6 ~~FOSTER INDEPENDENCE;~~

7 (XI) ~~LIMIT THE NUMBER OF PROGRAM PARTICIPANTS UNDER ITS~~
8 ~~SUPERVISION TO 150; AND~~

9 (XII) ~~PROVIDE OTHER SERVICES NECESSARY FOR THE EFFECTIVE~~
10 ~~IMPLEMENTATION OF THIS PROGRAM.~~

11 (3) ~~A TECHNICAL ASSISTANCE ORGANIZATION SHALL:~~

12 (I) ~~MANAGE THE RESERVE FUND CONSISTING OF THE~~
13 ~~DEPARTMENT'S ANNUAL FUNDING FOR THE PROGRAM BY:~~

14 1. ~~RECEIVING ALLOCATED FUNDING FROM THE~~
15 ~~DEPARTMENT AND MAINTAINING IT IN A FEDERALLY INSURED INSTITUTION;~~

16 2. ~~TRANSMITTING MATCHING STATE FUNDS AND DONATED~~
17 ~~PRIVATE FUNDS TO THE SERVICE PROVIDERS;~~

18 3. ~~TRANSMITTING \$200 PER PROGRAM PARTICIPANT FOR A~~
19 ~~MAXIMUM OF 3 YEARS TO EACH SERVICE PROVIDER FOR TRAINING AND~~
20 ~~EDUCATIONAL EXPENSES;~~

21 4. ~~DEPOSITING PRIVATE DONATIONS; AND~~

22 5. ~~REDEPOSITING FUNDING RETURNED BY SERVICE~~
23 ~~PROVIDERS;~~

24 (II) ~~SOLICIT NONPROFIT ORGANIZATIONS TO APPLY TO BECOME~~
25 ~~SERVICE PROVIDERS;~~

26 (III) ~~SELECT SERVICE PROVIDERS FROM APPLICANTS BASED ON~~
27 ~~FACTORS INCLUDING:~~

28 1. ~~STABILITY;~~

29 2. ~~GEOGRAPHICAL DISTRIBUTION; AND~~

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

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

- 1 (V) ~~TRACK AND EVALUATE PROGRAM PARTICIPATION;~~
- 2 (VI) ~~ASSIST SERVICE PROVIDERS IN ADVERTISING THE PROGRAM;~~
- 3 (VII) ~~PROVIDE CONSULTATION TO SERVICE PROVIDERS AS NEEDED;~~
- 4 (VIII) ~~INCLUDE STAKEHOLDERS IN THE DEVELOPMENT AND~~
5 ~~IMPLEMENTATION OF THE PROGRAM; AND~~
- 6 (IX) ~~SOLICIT CONTRIBUTIONS FROM PRIVATE ENTITIES.~~
- 7 (4) ~~THE SECRETARY SHALL:~~
- 8 (I) ~~SOLICIT PROPOSALS FROM ENTITIES INTERESTED IN~~
9 ~~BECOMING TECHNICAL ASSISTANCE ORGANIZATIONS;~~
- 10 (II) ~~SELECT ONE OR MORE TECHNICAL ASSISTANCE~~
11 ~~ORGANIZATIONS BASED ON FACTORS INCLUDING:~~
- 12 1. ~~STABILITY; AND~~
- 13 2. ~~ABILITY TO PROVIDE SERVICES DESCRIBED IN~~
14 ~~PARAGRAPH (3) OF THIS SUBSECTION; AND~~
- 15 (III) ~~PROVIDE NO MORE THAN \$80,000 ANNUALLY IN FUNDING TO~~
16 ~~THE TECHNICAL ASSISTANCE ORGANIZATIONS FOR A MAXIMUM OF 5 YEARS.~~
- 17 (D) (1) ~~THE CONTRACT BETWEEN THE PROGRAM PARTICIPANT AND THE~~
18 ~~SERVICE PROVIDER SHALL PROVIDE THAT MONEY MAY BE WITHDRAWN BY A~~
19 ~~PROGRAM PARTICIPANT FROM AN INDIVIDUAL DEVELOPMENT ACCOUNT OTHER~~
20 ~~THAN FOR QUALIFIED PURPOSES ONLY FOR EMERGENCIES:~~
- 21 (I) ~~AS DETERMINED BY THE DEPARTMENT; AND~~
- 22 (II) ~~IF REPLACED WITHIN 6 MONTHS.~~
- 23 (2) ~~IF A SERVICE PROVIDER LEARNS THAT FUNDS WERE WITHDRAWN~~
24 ~~FROM AN INDIVIDUAL DEVELOPMENT ACCOUNT FOR PURPOSES OTHER THAN THOSE~~
25 ~~LISTED IN SUBSECTIONS (B) AND (D)(1) OF THIS SECTION THEN THE SERVICE~~
26 ~~PROVIDER SHALL:~~
- 27 (I) ~~WITHHOLD ANY MATCHING FUNDS; AND~~
- 28 (II) ~~TERMINATE THE INDIVIDUAL'S CONTRACT WITH THE SERVICE~~
29 ~~PROVIDER.~~
- 30 (3) ~~THE TECHNICAL ASSISTANCE ORGANIZATIONS SHALL ESTABLISH A~~
31 ~~GRIEVANCE PROCESS TO HEAR, REVIEW, AND DECIDE IN WRITING ANY GRIEVANCE~~
32 ~~MADE BY A PROGRAM PARTICIPANT WHO DISPUTES A DECISION BY THE SERVICE~~
33 ~~PROVIDER.~~

1 (4) ~~THE TECHNICAL ASSISTANCE ORGANIZATIONS SHALL DEVELOP~~
2 ~~PROCEDURES TO FOLLOW WHEN A PROGRAM PARTICIPANT MOVES FROM THE~~
3 ~~COMMUNITY OR IS OTHERWISE UNABLE TO CONTINUE TO PARTICIPATE IN THE~~
4 ~~PROGRAM.~~

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

8 (II) ~~A FEDERALLY INSURED FINANCIAL INSTITUTION HAS NO DUTY~~
9 ~~OR RESPONSIBILITY TO RECOGNIZE OR GIVE EFFECT TO ANY WITHDRAWAL~~
10 ~~RESTRICTION ESTABLISHED IN THE CONTRACT BETWEEN THE PROGRAM~~
11 ~~PARTICIPANT AND THE SERVICE PROVIDER.~~

12 (E) (1) ~~THE STATE SHALL PROVIDE MATCHING FUNDS IN THE AMOUNT OF~~
13 ~~\$2 TO EACH DOLLAR DEPOSITED IN THE INDIVIDUAL DEVELOPMENT ACCOUNT BY~~
14 ~~THE PROGRAM PARTICIPANT.~~

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

17 (3) ~~THE PROGRAM SHALL ADHERE TO ALL APPLICABLE FEDERAL LAW~~
18 ~~CONCERNING TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM AND STATE~~
19 ~~MAINTENANCE OF EFFORT REQUIREMENTS.~~

20 (4) ~~TEMPORARY ASSISTANCE FOR NEEDY FAMILIES AND STATE~~
21 ~~MAINTENANCE OF EFFORT FUNDS MAY BE USED TO PROVIDE THE EDUCATIONAL~~
22 ~~AND TRAINING EXPENSES OF THE TECHNICAL ASSISTANCE ORGANIZATIONS AND~~
23 ~~SERVICE PROVIDERS.~~

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

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

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

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

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

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

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

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

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

8 (II) ~~THE AMOUNT OF SAVINGS IN EACH INDIVIDUAL~~
9 ~~DEVELOPMENT ACCOUNT AND THE AMOUNT OF MATCHING FUNDS DEDICATED TO~~
10 ~~EACH ACCOUNT;~~

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

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

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

18 (5) ~~AT THE CONCLUSION OF THE 5 YEAR DEMONSTRATION THE~~
19 ~~SECRETARY SHALL PREPARE A WRITTEN REPORT TO THE APPROPRIATE~~
20 ~~COMMITTEES:~~

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

22 (II) ~~RECOMMENDING WHETHER THE PROGRAM SHOULD BE~~
23 ~~EXTENDED OR EXPANDED.~~

24 (6) ~~THE SECRETARY SHALL ADOPT REGULATIONS NECESSARY TO~~
25 ~~EFFECTIVELY IMPLEMENT THE PROGRAM.~~

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

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

29 SUBTITLE 4. COMMISSION ON RESPONSIBLE FATHERHOOD.

30 18-401.

31 IN THIS SUBTITLE "COMMISSION" MEANS THE COMMISSION ON RESPONSIBLE
32 FATHERHOOD.

1 18-402.

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

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

6 18-403.

7 (A) THE COMMISSION CONSISTS OF THE FOLLOWING 18 MEMBERS
8 APPOINTED BY THE GOVERNOR:

9 (1) THE SECRETARY OF HUMAN RESOURCES;

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

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

12 (4) THE SECRETARY OF BUDGET AND MANAGEMENT;

13 (5) THE STATE SUPERINTENDENT OF SCHOOLS;

14 (6) THE SPECIAL SECRETARY OF THE OFFICE FOR CHILDREN, YOUTH,
15 AND FAMILIES;

16 (7) ONE JUDGE ASSIGNED TO THE FAMILY DIVISION OF A CIRCUIT
17 COURT NOMINATED BY THE CHIEF JUDGE OF THE COURT OF APPEALS;

18 (8) ONE MEMBER OF THE SENATE OF MARYLAND NOMINATED BY THE
19 PRESIDENT OF THE SENATE;

20 (9) ONE MEMBER OF THE HOUSE OF DELEGATES OF MARYLAND
21 NOMINATED BY THE SPEAKER OF THE HOUSE;

22 (10) THREE PERSONS WITH EXTENSIVE PROGRAMMATIC OR ACADEMIC
23 EXPERIENCE WITH NONCUSTODIAL FATHERS AND THEIR CHILDREN;

24 (11) THREE PERSONS INCLUDING REPRESENTATIVES OF COMMUNITY,
25 PARENT, OR RELIGIOUS GROUPS OR ORGANIZATIONS WHO HAVE INTEREST OR
26 EXPERTISE IN MATTERS PERTAINING TO NONCUSTODIAL FATHERS AND THEIR
27 CHILDREN;

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

30 (13) ONE NONCUSTODIAL FATHER.

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

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

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

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

7 (5) A MEMBER WHO IS APPOINTED PURSUANT TO SUBSECTION (A)(9),
8 (10), (11), OR (12) OF THIS SECTION AFTER A TERM HAS BEGUN SHALL SERVE ONLY
9 FOR THE REST OF THE TERM OR UNTIL A SUCCESSOR IS APPOINTED.

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

12 (D) A MEMBER OF THE COMMISSION:

13 (1) MAY NOT RECEIVE COMPENSATION; BUT

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

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

19 18-404.

20 (A) A MAJORITY OF THE MEMBERS THEN SERVING ON THE COMMISSION IS A
21 QUORUM.

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

25 (C) THE COMMISSION SHALL DETERMINE THE TIMES AND PLACES OF ITS
26 MEETINGS AND ANY OTHER NECESSARY OPERATING PROCEDURES, INCLUDING THE
27 ESTABLISHMENT OF SUBCOMMITTEES OR WORK GROUPS UTILIZING THE EXPERTISE
28 OF NONCOMMISSION MEMBERS.

29 18-405.

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

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

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

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

5 18-406.

6 THE PURPOSE OF THE COMMISSION IS TO:

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

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

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

13 18-407.

14 (A) THE COMMISSION SHALL CONDUCT A THOROUGH EXAMINATION OF THE
15 EXTENT AND IMPLICATIONS OF THE ABSENCE OF RESPONSIBLE FATHERS FROM
16 FAMILIES AND IN DOING SO, SHALL:

17 (1) HOLD HEARINGS AT WHICH PERSONS, ORGANIZATIONS, AND
18 AGENCIES WITH AN INTEREST IN RESPONSIBLE FATHERHOOD MAY PRESENT THEIR
19 VIEWS;

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

23 (3) IDENTIFY AND EXAMINE THE LIMITATIONS AND PROBLEMS
24 ASSOCIATED WITH EXISTING LAWS, PROGRAMS, AND SERVICES RELATED TO
25 RESPONSIBLE FATHERHOOD; AND

26 (4) EXAMINE THE FINANCING AND DELIVERY OF SERVICES RELATED TO
27 RESPONSIBLE FATHERHOOD;

28 (B) THE COMMISSION SHALL:

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

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

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

5 (4) PROMOTE INTERDEPARTMENTAL AND PUBLIC AND PRIVATE POLICY,
6 AND PROGRAM COLLABORATION AND COORDINATION;

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

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

12 (7) MONITOR STATEWIDE PROGRESS TOWARDS THE GOAL OF REDUCING
13 THE NUMBER OF NONCUSTODIAL FATHERS;

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

16 (9) PROVIDE ADVICE TO LOCAL PUBLIC AND PRIVATE AGENCIES
17 SEEKING TO MOBILIZE LOCAL EFFORTS DESIGNED TO PROMOTE RESPONSIBLE
18 FATHERHOOD; AND

19 (10) IN ACCORDANCE WITH THE STATEWIDE PLAN, RECOMMEND TO THE
20 GOVERNOR DISTRIBUTION OF COMMUNITY INCENTIVE GRANTS CONCERNING
21 RESPONSIBLE FATHERHOOD FROM FUNDS PROVIDED IN THE STATE BUDGET FOR
22 THIS PURPOSE, OR FROM GRANTS OR PRIVATE DONATIONS, GIVING PRIORITY TO
23 INNOVATIVE PROJECTS THAT:

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

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

28 18-408.

29 THE COMMISSION MAY NOT OPERATE ANY PROGRAMS OR PROVIDE ANY DIRECT
30 SERVICES.

31 **Article - Labor and Employment**

32 8-626.1.

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

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

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

5 (2) the name of the employee;

6 (3) the address of the employee;

7 (4) the date of employment;

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

9 (6) THE EMPLOYEE'S STARTING WAGE;

10 (7) WHETHER THE EMPLOYEE HAS HEALTH INSURANCE PROVIDED BY
11 THE EMPLOYING UNIT;

12 [(6)] (8) the federal employer identification number of the employing
13 unit; and

14 [(7)] (9) the State unemployment insurance account number of the
15 employing unit.

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

17 (i) mail;

18 (ii) magnetically or electronically; or

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

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

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

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

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

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

30 (ii) shall be subject to a civil penalty of \$20 for each month in which
31 a subsequent violation occurs, or \$500 if the failure is the result of a conspiracy

1 between the employer and the employee to not supply the required report or to supply
2 a false or incomplete report, unless the Secretary waives the penalty for cause.

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

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

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

11 **Chapter 671 of the Acts of 2000**

12 SECTION 6. AND BE IT FURTHER ENACTED, That the changes to § 13-106
13 of the State Finance and Procurement Article, as enacted under Section 1 of this Act,
14 shall remain effective for a period of [1 year] 2 YEARS and, at the end of June 30,
15 [2001] 2002, with no further action required by the General Assembly, the changes to
16 § 13-106 of the State Finance and Procurement Article as enacted under Section 1 of
17 this Act shall be abrogated and of no further force and effect.

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