

SENATE BILL 808

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2001 Regular Session
11r2829
CF 11r2078

By: **Senator McFadden**

Introduced and read first time: February 14, 2001

Assigned to: Rules

Re-referred to: Judicial Proceedings, February 21, 2001

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 20, 2001

CHAPTER _____

1 AN ACT concerning

2 **Advisory Council on Offender Employment Coordination**

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

12 BY adding to
13 Article - Correctional Services
14 Section 2-301 through ~~2-308~~ 2-307, inclusive, to be under the new subtitle
15 "Subtitle 3. Advisory Council on Offender Employment Coordination"
16 Annotated Code of Maryland
17 (1999 Volume and 2000 Supplement)

18 Preamble

19 WHEREAS, Maryland has experienced both an increased demand for a trained
20 and skilled labor force and an increased offender population seeking employment
21 opportunities; and

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

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

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

9 WHEREAS, Employment reduces criminal behavior of offenders and therefore
10 plays a significant role in crime control efforts and in improving the quality of life of
11 all citizens and in all communities; now, therefore,

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

14 **Article - Correctional Services**

15 **SUBTITLE 3. ADVISORY COUNCIL ON OFFENDER EMPLOYMENT COORDINATION.**

16 2-301.

17 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
18 INDICATED.

19 (B) "COUNCIL" MEANS THE ADVISORY COUNCIL ON OFFENDER EMPLOYMENT
20 COORDINATION.

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

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

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

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

31 2-302.

32 THERE IS AN ADVISORY COUNCIL ON OFFENDER EMPLOYMENT COORDINATION
33 IN THE DEPARTMENT.

1 2-303.

2 THE COUNCIL CONSISTS OF:

3 (1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE
4 PRESIDENT OF THE SENATE;

5 (2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE
6 SPEAKER OF THE HOUSE;

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

8 (4) THE STATE SUPERINTENDENT OF EDUCATION;

9 (5) ONE REPRESENTATIVE OF BALTIMORE CITY APPOINTED BY THE
10 MAYOR OF BALTIMORE;

11 (6) ONE JUDGE SITTING ON THE BALTIMORE CITY CIRCUIT COURT
12 APPOINTED BY THE CHIEF JUDGE OF THE COURT OF APPEALS; AND

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

14 (I) FOUR REPRESENTATIVES OF THE BUSINESS COMMUNITY;

15 (II) TWO REPRESENTATIVES OF FAITH BASED OR NONPROFIT
16 COMMUNITIES; AND

17 (III) ONE REPRESENTATIVE FROM A LABOR TRADE.

18 2-304.

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

21 (2) THE COUNCIL SHALL DETERMINE THE TIMES AND PLACES OF THE
22 MEETINGS OF THE COUNCIL.

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

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

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

29 (D) A MEMBER OF THE COUNCIL:

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

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

3 (E) THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
4 SHALL PROVIDE:

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

6 (2) STAFF SUPPORT AND TECHNICAL ASSISTANCE.

7 2-305.

8 ~~(A) (1) FOR FISCAL YEAR 2003 AND EACH FISCAL YEAR THEREAFTER, THE~~
9 ~~COUNCIL SHALL PREPARE A BUDGET FOR SUBMISSION TO THE GOVERNOR WITH~~
10 ~~DUE REGARD TO THE DICTATES OF PRACTICALITY AND THE FISCAL CONDITION OF~~
11 ~~THE STATE.~~

12 ~~(2) THE GOVERNOR SHALL INCLUDE AN APPROPRIATION FOR THE~~
13 ~~COUNCIL IN THE ANNUAL STATE BUDGET SUFFICIENT FOR THE OPERATION OF THE~~
14 ~~COUNCIL.~~

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

18 ~~2-306.~~

19 THE COUNCIL SHALL:

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

22 (I) DEVELOP TRANSITIONAL SUPPORTS AND EXPAND
23 EMPLOYMENT OPPORTUNITIES FOR OFFENDERS BOTH IN INSTITUTIONAL AND
24 COMMUNITY SETTINGS;

25 (II) PROVIDE MORE EXTENSIVE EMPLOYMENT COUNSELING FOR
26 OFFENDERS UNDER CORRECTIONAL CONTROL;

27 (III) TRANSFER SUCCESSFUL INSTITUTIONAL PROGRAMS AND
28 SERVICES THAT PREPARE OFFENDERS FOR EMPLOYMENT AND PROVIDE
29 EMPLOYMENT OPPORTUNITIES TO COMMUNITY SETTINGS;

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

32 (V) IMPROVE THE OVERALL COORDINATION OF EMPLOYMENT
33 SERVICES FOR OFFENDERS;

34 (VI) DEVELOP AND IMPLEMENT A BUSINESS MENTORING
35 PROGRAM; AND

1 (VII) CONDUCT MOCK JOB FAIRS IN INSTITUTIONS AND IN THE
2 COMMUNITY; AND

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

6 ~~2-307.~~ 2-306.

7 ALL PERSONNEL IN ANY GOVERNMENTAL UNIT SHALL COOPERATE WITH THE
8 COUNCIL IN THE DISCHARGE OF THE FUNCTIONS OF THE COUNCIL AND WITH
9 REGARD TO ANY REASONABLE REQUEST THAT THE COUNCIL MAKES FOR
10 INFORMATION ASSOCIATED WITH ITS DUTIES UNDER THIS SUBTITLE.

11 ~~2-308.~~ 2-307.

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

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