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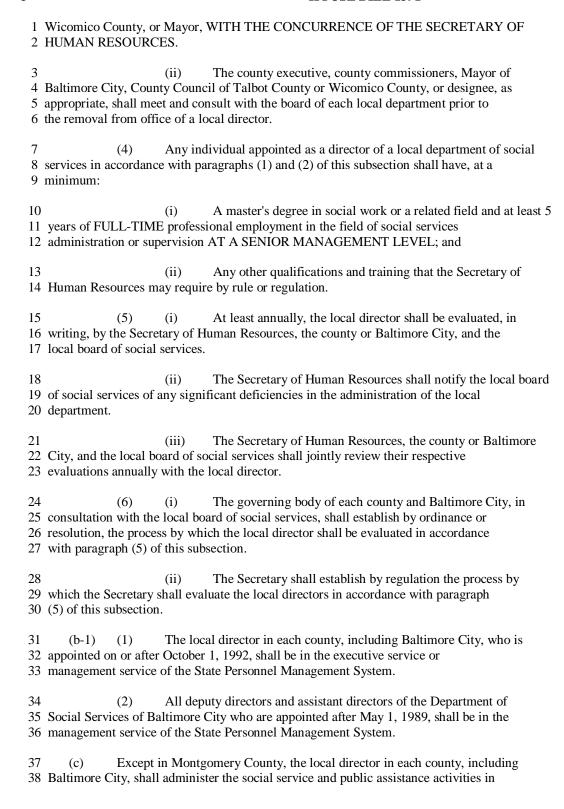
Introduced and read first time: February 20, 2004 Assigned to: Rules and Executive Nominations

	A BILL ENTITLED
1	AN ACT concerning
2	Local Departments of Social Services - Local Directors - Appointment and Removal
4 5 6 7 8 9 10 11 12 13 14 15 16	requirements for local directors of social services to be full-time and at a senior management level; authorizing the Secretary to concur with the removal of certain local directors; authorizing certain local boards of social services to submit certain lists to certain local government officials; providing for the application of this Act; and generally relating to local departments of social
17 18 19 20 21	Section 13 and 14A
22 23	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
24	Article 88A - Department of Human Resources

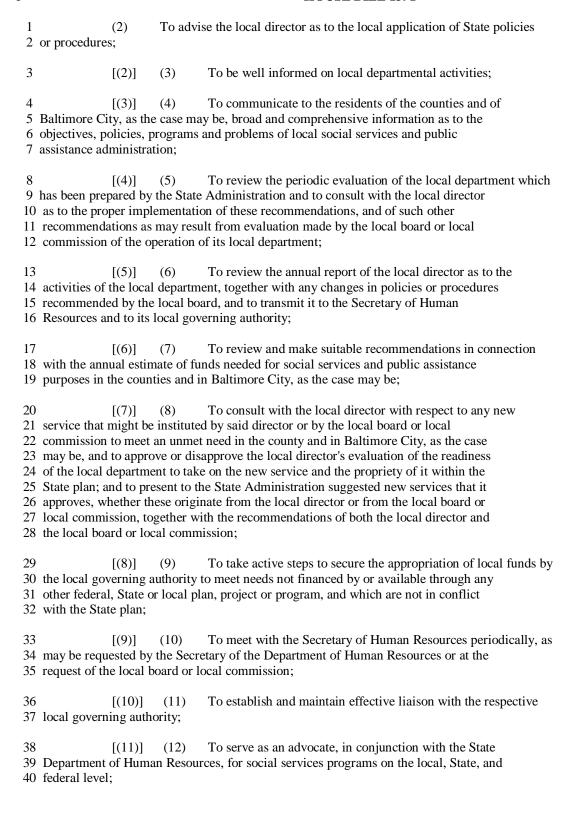
25 13.

26 (a) Except as provided in § 13A of this article, the State Department shall 27 create or continue in each county and in Baltimore City a local department of social 28 services to be known as such with the name of the county or city prefixed thereto. In 29 each county such local department shall have a local board appointed in accordance

- 1 with the provisions of § 14 of this article and a local director appointed in accordance
- 2 with subsection (b)(1) of this section.
- 3 In Baltimore City the department of social services shall have a commission of
- 4 social services (herein referred to as "local commission") appointed in accordance with
- 5 the provisions of § 48(d) of Article VII of the Charter of Baltimore City, 1964 Edition,
- 6 and the local director of the local department in Baltimore City shall be appointed in
- 7 accordance with the provisions of subsection (b)(2) of this section.
- The local boards in the counties and the local commission in Baltimore City
- 9 shall have all the duties and functions provided in § 14A of this article.
- 10 (b) (1) (I) [In] FROM THE LIST SUBMITTED BY EACH LOCAL BOARD OF
- 11 SOCIAL SERVICES AND THE COMMISSION OF SOCIAL SERVICES IN BALTIMORE CITY
- 12 AS PROVIDED IN § 14A(1) OF THIS ARTICLE, IN each county and Baltimore City the
- 13 local director, WHETHER SERVING IN A PERMANENT, ACTING, OR INTERIM CAPACITY,
- 14 shall be appointed BY [with the concurrence of the Secretary of Human Resources
- 15 and], as appropriate:
- 16 [(i)] 1. The county executive;
- 17 [(ii)] 2. The county commissioners;
- 18 [(iii)] 3. The Mayor of Baltimore City:
- 19 [(iv)] 4. The County Council of Talbot County or Wicomico County;
- 20 or
- 21 [(v)] 5. A designee of the county executive, county commissioners,
- 22 or Mayor.
- 23 (II) THE APPOINTMENT OF A LOCAL DIRECTOR IN ACCORDANCE
- 24 WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE WITH THE CONCURRENCE
- 25 OF THE SECRETARY OF HUMAN RESOURCES.
- 26 (III) AN INDIVIDUAL APPOINTED AS AN ACTING OR INTERIM LOCAL
- 27 DIRECTOR MAY NOT SERVE IN SUCH A CAPACITY FOR A PERIOD EXCEEDING 6
- 28 MONTHS.
- 29 (2) The county executive, county commissioners, Mayor of Baltimore
- 30 City, County Council of Talbot County or Wicomico County, or designee, as
- 31 appropriate, shall meet and consult with the board of each local department prior to
- 32 the appointment of a local director.
- 33 (3) (i) In each county and Baltimore City the local director, WHETHER
- 34 SERVING IN A PERMANENT, ACTING, OR INTERIM CAPACITY, may be removed from
- 35 office BY [with the concurrence of the Secretary of Human Resources and], as
- 36 appropriate, the county executive, the county commissioners, the Mayor of Baltimore
- 37 City, County Council of Talbot County or Wicomico County, or the designee of the
- 38 county executive, county commissioners, County Council of Talbot County or



- 1 the respective county, except child support enforcement, in accordance with § 3 of this
- 2 article. Each local director has a general administrative responsibility to the State
- 3 Administration. Specifically, by way of example and not in limitation, each local
- 4 director has the following basic responsibilities:
- 5 (1) Long-range and short-range planning for the functions and
- 6 objectives of the respective local department;
- 7 (2) Exercise of full administrative responsibility for the operations of the 8 respective local department;
- 9 Except as provided in subsection (b-1)(2) of this section or otherwise
- 10 by law, appointment of all personnel of the respective local department in accordance
- 11 with the provisions of Title 6, Subtitle 4 of the State Personnel and Pensions Article;
- 12 (4) Improvement of administrative and social-work practices and 13 procedures;
- 14 (5) Submission of periodic reports and evaluations as required by the
- 15 State Administration;
- 16 Submission of an annual report to the local board of the respective
- 17 local department in the counties and to the local commission of the local department
- 18 in Baltimore City; and
- 19 Other responsibilities as may from time to time be required by the
- 20 State Administration or by other applicable laws, rules and regulations.
- 21 (c-1) In Montgomery County, the local director shall act as the agent of the
- 22 Secretary of Human Resources to ensure that Montgomery County complies with
- 23 responsibilities under grant agreements entered into under § 13A(b) of this article.
- 24 (d) Administrative costs of the local departments for the purpose of this
- 25 section shall be paid out of allotments from State or federal funds, as the State
- 26 Department may prescribe. This subsection does not prohibit any county from
- 27 appropriating additional funds for administrative costs of the local department.
- 28 14A.
- 29 The board of each local department of social services in the counties and the
- 30 local commission of the Department of Social Services in Baltimore City has the
- 31 following duties and functions (specifically, by way of example and not in limitation):
- 32 (1) PRIOR TO THE APPOINTMENT OF A LOCAL DIRECTOR AS PROVIDED
- 33 UNDER § 13(B)(1) OF THIS ARTICLE, TO SUBMIT A LIST OF AT LEAST THREE NAMES OF
- 34 QUALIFIED APPLICANTS, AS REQUIRED BY § 13(B)(4) OF THIS ARTICLE, AS
- 35 APPROPRIATE, TO THE COUNTY EXECUTIVE, THE COUNTY COMMISSIONERS, THE
- 36 MAYOR OF BALTIMORE CITY, THE COUNTY COUNCIL OF TALBOT COUNTY OR
- 37 WICOMICO COUNTY, OR A DESIGNEE OF THE COUNTY EXECUTIVE, COUNTY
- 38 COMMISSIONERS, OR MAYOR;



- 1 [(12)] (13) To work to identify private, State, and federal grant sources for 2 social services programs;
- 3 [(13)] (14) To develop and implement, in conjunction with the State
- 4 Department of Human Resources, an educational and public relations program for
- 5 the public and elected officials on the local, State, and federal level; and
- 6 [(14)] (15) To evaluate, in conjunction with the State Department of
- 7 Human Resources and the county or Baltimore City, the director of the local
- 8 department of social services and make recommendations, based on the evaluation,
- 9 with regards to the local director to the Secretary of Human Resources.
- 10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
- 11 construed to apply retroactively and shall be applied to and interpreted to affect any
- 12 local director appointments made after August 1, 2003.
- 13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 14 June 1, 2004.