

SENATE BILL 461

R2, K3

71r1347

By: **Senators Pugh, Britt, Brochin, Jones, Kelley, Lenett, Madaleno, McFadden, Muse, Peters, Pinsky, Raskin, and Robey**

Introduced and read first time: February 2, 2007

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 14, 2007

CHAPTER _____

1 AN ACT concerning

2 **Labor and Employment – Maryland Workforce Investment Act – Transit**
3 **Service for Low-Income Individuals**

4 FOR the purpose of requiring the State Department of Transportation to ~~provide~~
5 ~~certain transit service to certain individuals who are engaged in an employment~~
6 ~~and training program under the Maryland Workforce Investment Act; requiring~~
7 ~~the State Human Resource Investment Council to reimburse the Department of~~
8 ~~Transportation for the cost of certain transit service to certain individuals~~ issue
9 certain transit passes in a certain form to certain training organizations;
10 requiring training organizations to provide certain transit passes to certain
11 individuals; requiring transit organizations to include a certain travel
12 reimbursement provision in a certain contract for certain eligibility purposes;
13 defining a certain term; and generally relating to transit service for low-income
14 individuals participating in a certain employment and training program.

15 BY repealing and reenacting, with amendments,
16 Article – Labor and Employment
17 Section 11-502 and 11-504
18 Annotated Code of Maryland
19 (1999 Replacement Volume and 2006 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, without amendments,
 2 Article – Labor and Employment
 3 Section 11–503(c) and (m)
 4 Annotated Code of Maryland
 5 (1999 Replacement Volume and 2006 Supplement)

6 BY adding to
 7 Article – Labor and Employment
 8 Section 11–503(n)
 9 Annotated Code of Maryland
 10 (1999 Replacement Volume and 2006 Supplement)

11 ~~BY repealing and reenacting, without amendments,~~
 12 ~~Article – Transportation~~
 13 ~~Section 7–101(d) and (m)~~
 14 ~~Annotated Code of Maryland~~
 15 ~~(2001 Replacement Volume and 2006 Supplement)~~

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

18 **Article – Labor and Employment**

19 11–502.

20 (a) It is State policy to coordinate all the resources available from federal,
 21 State and local governments, business, labor, and community based organizations to
 22 foster and promote a balanced, equitable, and cost–effective employment and training
 23 system. To effectuate this policy there shall be consultation between the Governor and
 24 the General Assembly in implementing the federal Workforce Investment Act and this
 25 subtitle.

26 (b) It is the State’s goal to assist its citizens in obtaining gainful employment
 27 and in reducing dependence on public assistance and unemployment insurance
 28 programs by:

29 (1) preparing unskilled youth and adults who are economically
 30 disadvantaged for entry into the work force;

31 (2) retraining those who have lost jobs or who must upgrade or replace
 32 their work skills or both; and

1 (3) providing training and related services, **INCLUDING SUPPORTIVE**
2 **SERVICES FOR LOW-INCOME INDIVIDUALS**, to increase the employability of those
3 who encounter barriers to employment.

4 (c) It is also the State's goal to develop a well trained productive work force
5 which meets the needs of a changing economy by:

6 (1) developing and ensuring maximum utilization of timely statewide
7 labor market information;

8 (2) linking employment and training services with economic
9 development efforts;

10 (3) providing enhanced employment and training capabilities specially
11 designed to meet the needs of business and industry, including industries that utilize
12 advanced technology applications; and

13 (4) encouraging and initiating innovative employment and training
14 strategies.

15 11-503.

16 (c) "Low-income individual" means an individual who:

17 (1) receives, or is a member of a family which receives, cash welfare
18 payments under a federal, State, or local income-based public assistance program;

19 (2) received an income, or is a member of a family that received a total
20 family income for the 6-month period prior to application for the program involved
21 (exclusive of unemployment compensation, child support payments, payments
22 described in paragraph (1) of this subsection, and old age and survivors insurance
23 benefits received under Section 202 of the Social Security Act (42 U.S.C. § 402)) that,
24 in relation to family size, does not exceed the higher of:

25 (i) the poverty level for an equivalent period; or

26 (ii) 70 percent of the lower living standard income level for an
27 equivalent period;

28 (3) is a member of a household that receives food stamps or has been
29 determined within the 6-month period prior to application for the program involved to

1 be eligible to receive food stamps pursuant to the Food Stamp Act of 1977 (7 U.S.C. §
2 2011 et seq.);

3 (4) is a foster child on behalf of whom State or local government
4 payments are made;

5 (5) in cases permitted by regulations promulgated by the Secretary, is
6 an adult individual with a disability whose own income meets the requirements of a
7 program described in paragraph (1) or (2) of this subsection, but who is a member of a
8 family whose income does not meet such requirements; or

9 (6) qualifies as a homeless individual, as defined in subsections (a) and
10 (c) of § 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. § 11302).

11 (m) “Supportive services” means services such as transportation, child care,
12 dependent care, housing, and needs-related payments that are necessary to enable an
13 individual to participate in activities authorized under the federal Act, consistent with
14 the federal Act.

15 **(N) “TRAINING ORGANIZATION” MEANS AN ENTITY THAT PROVIDES**
16 **TRAINING AND EMPLOYMENT SERVICES TO INDIVIDUALS DESCRIBED IN §**
17 **11-504(B) OF THIS SUBTITLE.**

18 11-504.

19 (a) A workforce investment training program is established to implement the
20 federal Act.

21 (b) (1) This program shall provide employment, training, supportive and
22 related services for unemployed individuals who are low income, for dislocated
23 workers, and for those who are not low income, but who qualify under the federal Act
24 as having barriers to employment, including, but not limited to, displaced
25 homemakers, school dropouts, teenage parents, individuals with disabilities, older
26 workers, veterans, and other participants as defined by the federal Act.

27 (2) (I) ~~THE SUBJECT TO SUBPARAGRAPH (IV) OF THIS~~
28 ~~PARAGRAPH, THE STATE DEPARTMENT OF TRANSPORTATION SHALL PROVIDE~~
29 ~~TRANSIT SERVICE, AS DEFINED UNDER § 7-101 OF THE TRANSPORTATION~~
30 ~~ARTICLE, AT NO CHARGE TO ANY LOW-INCOME INDIVIDUAL WHILE THE~~
31 ~~INDIVIDUAL IS ENGAGED IN EMPLOYMENT AND TRAINING SERVICES UNDER~~
32 ~~THIS PROGRAM.~~

1 ~~(H) THE STATE COUNCIL SHALL REIMBURSE THE~~
 2 ~~DEPARTMENT OF TRANSPORTATION FOR THE COST OF TRANSIT SERVICE~~
 3 ~~PROVIDED TO A PROGRAM PARTICIPANT UNDER THIS PARAGRAPH TO THE~~
 4 ~~EXTENT THE STATE COUNCIL RECEIVES FEDERAL PAYMENT FOR~~
 5 ~~TRANSPORTATION SERVICES FOR PROGRAM PARTICIPANTS. ISSUE TO TRAINING~~
 6 ~~ORGANIZATIONS WEEKLY TRANSIT PASSES, IN THE FORM OF MAGNETIC PASSES~~
 7 ~~OR LOADED SMART CARDS, FOR LOCAL BUS, LIGHT RAIL, OR METRO SUBWAY~~
 8 ~~SERVICE PROVIDED BY THE MARYLAND TRANSIT ADMINISTRATION.~~

9 (II) THE TRAINING ORGANIZATIONS SHALL PROVIDE THE
 10 WEEKLY TRANSIT PASSES ISSUED UNDER SUBPARAGRAPH (I) OF THIS
 11 PARAGRAPH TO INDIVIDUALS RECEIVING EMPLOYMENT AND TRAINING
 12 SERVICES UNDER THE PROGRAM ESTABLISHED IN ACCORDANCE WITH
 13 SUBSECTION (A) OF THIS SECTION.

14 (III) A TRAINING ORGANIZATION SHALL REIMBURSE THE
 15 DEPARTMENT OF TRANSPORTATION FOR THE COST OF TRANSIT PASSES
 16 PROVIDED TO THE TRAINING ORGANIZATION UNDER THIS PARAGRAPH.

17 (IV) TO BE ELIGIBLE TO RECEIVE TRANSIT PASSES UNDER
 18 THIS PARAGRAPH, A TRAINING ORGANIZATION SHALL INCLUDE IN ITS
 19 CONTRACT WITH THE LOCAL WORKFORCE INVESTMENT BOARD OR LOCAL
 20 WORKFORCE INVESTMENT AGENCY A PROVISION REQUIRING REIMBURSEMENT
 21 OF THE TRAINING ORGANIZATION FOR ITS COSTS UNDER SUBPARAGRAPH (III)
 22 OF THIS PARAGRAPH.

23 (c) The County Commissioners of Carroll County may appropriate funds
 24 necessary to enter into contracts with private or public enterprises for the training or
 25 retraining of workers of those enterprises.

26 ~~Article Transportation~~

27 ~~7-101.~~

28 (d) ~~“District” means:~~

29 (1) ~~The Metropolitan Transit District, consisting of Baltimore City,~~
 30 ~~Baltimore County, Anne Arundel County, and other areas as designated by the~~
 31 ~~Secretary after consultation and coordination with the affected jurisdiction and subject~~
 32 ~~to the provisions of the Washington Metropolitan Transit Authority Compact; and~~

1 ~~(2) Any area in which railroad service is performed under contract~~
 2 ~~with the Administration or in which railroad facilities are owned by the~~
 3 ~~Administration.~~

4 ~~(m) (1) "Transit service" means the transportation of persons and their~~
 5 ~~packages and baggage and of newspapers, express, and mail in regular route, special,~~
 6 ~~or charter service by means of transit facilities between points within the District.~~

7 ~~(2) "Transit service" does not include any:~~

8 ~~(i) Taxicab service;~~

9 ~~(ii) Vanpool operation; or~~

10 ~~(iii) Railroad service.~~

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 12 October 1, 2007.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.