

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

Senate Bill 6 (The President) (By Request – Department of Legislative Services –
Code Revision)

Finance

Appropriations

Human Services

This Code Revision bill revises, restates, and recodifies the laws of the State that relate to human resources. The new article is a nonsubstantive revision of the statutes that pertain to the Department of Human Resources; community services; the Department of Disabilities; the Blind Industries and Services of Maryland; the Department of Juvenile Services; the Department of Aging; and the confidentiality and sharing of information by certain agencies. This article derives primarily from Article 10 – Legal Officials; Article 30 – Deaf, Mute or Blind; Article 41 – Governor – Executive and Administrative Departments; Article 49C – Maryland Commission for Women; Article 49D – Children, Youth, and Family Services; Article 70B – Department of Aging; Article 83C – Juvenile Services; Article 88A – Department of Human Resources; and the State Government Article.

Fiscal Summary

State Effect: None. This bill recodifies specified existing laws without substantive change. While some existing regulations relating to various State agencies may need to be revised to conform to the bill's nonsubstantive changes, it is anticipated that this activity could be absorbed within each agency's existing resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The Human Services Article consists of 11 titles as follows:

Title 1. Definitions; General Provisions.

Contains definitions and general provisions that apply to the entire article.

Title 2. Department of Human Resources.

Revises the law that relates to the Department of Human Resources (DHR), including the Maryland Commission for Women and the Commission on Indian Affairs.

Title 3. Local Departments of Social Services.

Contains provisions concerning local departments of social services, local directors, local boards, and the administration of programs in Montgomery County.

Title 4. Social Services.

Revises the law that relates to DHR's Social Services Administration and the recruitment, training, and retention of child welfare caseworkers and supervisors.

Title 5. Public Assistance.

Revises the law that relates to DHR's Family Investment Administration, including the Family Investment Program, Public Assistance to Adults, Burial Assistance, and the Food Stamp Program. The law requires local departments of social services to administer the Food Stamp Program under DHR's supervision and control.

Title 6. Community Services.

Revises the law that relates to DHR's Community Services Administration, including the Energy Assistance Program, transitional services, adult services, and the Citizenship Promotion Program. It also includes the Commission on Responsible Fatherhood.

Title 7. Individuals with Disabilities.

Revises the law that pertains to the Department of Disabilities, the Maryland Commission on Disabilities, the Interagency Disabilities Board, the State Disabilities Plan, and the Personal Assistance Advisory Committee. It also affects programs and services for individuals with disabilities and their families, the Blind Industries and Services of Maryland, and the rights of individuals with disabilities.

Title 8. Children, Youth, and Families.

Concerns programs and services for children, youth, and families, the Advisory Council to the Children's Cabinet, the Children's Cabinet Fund, local management boards, the State Coordinating Council for Children, and local coordinating councils. It also

concerns at-risk youth prevention and diversion programs, residential child care programs, and the Residential Child Care Program Capital Grant Program.

Title 9. Juvenile Services.

Revises the law that pertains to the Department of Juvenile Services and concerns the Interstate Compact on Juveniles and the Juvenile Services Facilities Capital Program.

Title 10. Department of Aging.

Revises the law that pertains to the Department of Aging and concerns the Interagency Committee on Aging Services, continuing care, and senior citizen activities centers. The Senior Housing Managers Training Program is deleted because the program no longer exists.

Title 11. Maryland Legal Services Corporation.

Revises the law that pertains to the Maryland Legal Services Corporation and contains the Maryland Legal Services Corporation Fund. It also concerns legal services provided by grantees.

The bill contains a number of uncodified sections common to code revision projects, primarily designed to protect the status of the revision as a bulk, nonsubstantive restatement of the former law.

SB 6 also transfers a few provisions to the Session Laws because of limited and diminishing applicability or limited duration. A few apparently obsolete provisions are transferred to the Session Laws for historical purposes or to avoid any inadvertent substantive effect their repeal might have.

Background: The Human Services Article is a product of the continuing revision of the Annotated Code of Maryland by the legal staff of the Office of Policy Analysis of the Department of Legislative Services. The first revised articles were enacted at the First Extraordinary Session of 1973, and, as of the date of the introduction in the General Assembly of the Human Services Article, 30 revised articles had become law: Agriculture, Business Occupations and Professions, Business Regulation, Commercial Law, Corporations and Associations, Correctional Services, Courts and Judicial Proceedings, Criminal Law, Criminal Procedure, Education, Election Law, Estates and Trusts, Family Law, Financial Institutions, Health – Environmental (now Environment), Health – General, Health Occupations, Housing and Community Development, Insurance, Labor and Employment, Natural Resources, Public Safety, Public Utility Companies, Real Property, State Finance and Procurement, State Government, State Personnel and Pensions, Tax – General, Tax – Property, and Transportation. The basic

thrust of the revision is formal; the sole purposes of the work are modernization and clarification, not policymaking.

The Interstate Compact on Juveniles was promulgated in 1955 and ratified by all 50 states, the District of Columbia, the Virgin Islands, and Guam by 1986. A new compact, the Interstate Compact for Juveniles, was promulgated in 2002. As of September 2006, the new compact has been adopted in 30 states. The compact will become effective upon legislative enactment by at least 35 jurisdictions.

Additional Comments: Every effort is made to ensure that a proposed revision conforms as nearly as possible to the intent of the General Assembly, and any issues involving the interpretation of an aspect of current law are highlighted in the appropriate revisor's note. In other instances, the staff and the Article Review Committee have used revisor's notes to call to the attention of the General Assembly fundamental policy issues that are beyond the purview of the revision process.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Human Resources, Department of Legislative Services

Fiscal Note History: First Reader - January 10, 2007
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