

SB0203/147675/2

BY: Finance Committee

AMENDMENTS TO SENATE BILL 203

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “Council;” insert “providing for the membership of the Transition Council;”; in lines 9 and 13, in each instance, after “Department” insert “of Labor, Licensing, and Regulation”; in line 15, after “purposes;” insert “altering a certain definition;”; in the same line, after “terms;” insert “requiring the Department of Labor, Licensing, and Regulation to be responsible for the development of a certain State plan and its submission to the federal Department of Education; declaring that the State assents to certain federal acts; requiring the State Treasurer to be the custodian of certain money received under certain federal acts; requiring the departments to cooperate with certain federal agencies to administer certain federal acts and take certain actions in connection with certain federal acts; requiring that certain services, programs, and grants in the State transfer to the Department of Labor, Licensing, and Regulation by a certain date; requiring that certain funds be included in a certain budget for a certain fiscal year; authorizing the Governor to transfer certain appropriations; authorizing certain grants and funding contracts to continue for a certain time period under certain circumstances; requiring the departments to consult over certain grants and contracts;”.

On page 2, in line 24, strike “11-807” and substitute “11-808”; and in line 25, strike “11-905” and substitute “11-907”.

AMENDMENT NO. 2

On page 7, in line 13, strike “Vocational Education Act of 1963” and substitute “**CARL D. PERKINS VOCATIONAL AND TECHNICAL EDUCATION ACT**”.

(Over)

On page 8, in line 4, strike “and”; and in line 5, after “(3)” insert “FACILITATE THE TRANSFER OF FEDERAL FUNDS TO THE APPROPRIATE OPERATIONAL ENTITY; AND”

(4)”.

AMENDMENT NO. 3

On page 15, in line 28, after “(1)” insert “ONE MEMBER OF THE SENATE, APPOINTED BY THE PRESIDENT;”

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

(3)”;

in line 28, strike “CHAIR” and substitute “COCHAIR”; and in line 29, strike “(2)” and substitute “(4)”.

On page 16, in lines 1, 3, 4, 5, 7, 9, 11, and 13, strike “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, and “(10)”, respectively, and substitute “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, “(10)”, “(11)”, and “(12)”, respectively; in line 3, strike “SCHOOLS” and substitute “SCHOOLS, WHO SHALL SERVE AS COCHAIR”; in line 12, strike “AND”; and in line 14, strike “BOARD” and substitute “BOARD; AND”

(13) TEN MEMBERS APPOINTED BY THE GOVERNOR, INCLUDING REPRESENTATIVES FROM THE FOLLOWING COMMUNITIES OF INTEREST:

(I) FAMILY LITERACY;

(II) ADULT BASIC EDUCATION;

(III) CAREER AND TECHNICAL EDUCATION;

(IV) WORKPLACE LITERACY;

(V) CORRECTIONAL EDUCATION;

(VI) COMMUNITY LIBRARIES;

(VII) ENGLISH AS A SECOND LANGUAGE PROVIDERS;

(VIII) ORGANIZED LABOR;

(IX) EMPLOYERS; AND

(X) NONPROFIT ORGANIZATIONS INVOLVED IN PROGRAMS TO PROMOTE ECONOMIC SELF-SUFFICIENCY”.

AMENDMENT NO. 4

On pages 16 and 17, strike in their entirety the lines beginning with line 16 on page 16 through line 6 on page 17, inclusive, and substitute:

“(1) DEVELOP A PLAN FOR THE SEAMLESS TRANSITION OF THE ADULT EDUCATION, LITERACY, AND CORRECTIONAL EDUCATION PROGRAMS FROM THE STATE DEPARTMENT OF EDUCATION TO THE DEPARTMENT;

(2) ACTIVELY ASSIST IN THE DEVELOPMENT OF A NEW STATE PLAN FOR ADULT EDUCATION;

(Over)

(3) IDENTIFY EXISTING ADULT EDUCATION PROGRAMS IN OTHER UNITS OF STATE GOVERNMENT AND DEVELOP STRATEGIES TO MAKE THE AGENCIES PART OF A COORDINATED PROGRAM;

(4) RECOMMEND A FRAMEWORK FOR A NEW STATE SYSTEM OF DELIVERING ADULT EDUCATION AND WORKFORCE PROGRAMS THROUGH THE DEPARTMENT THAT:

(I) PROVIDES FOR THE EFFECTIVE ALIGNMENT OF ADULT EDUCATION, LITERACY, AND CORRECTIONAL EDUCATION PROGRAMS WITH WORKFORCE DEVELOPMENT PROGRAMS;

(II) TRACKS OUTCOMES OF ADULT EDUCATION STUDENTS;
AND

(III) IS CONSISTENT WITH APPLICABLE FEDERAL LAWS;

(5) REVIEW THE OVERLAPPING RESPONSIBILITIES OF CORRECTIONAL EDUCATION AS THEY RELATE TO IMPLEMENTATION OF ADULT CORRECTIONAL EDUCATION AND JUVENILE SERVICES EDUCATION;

(6) DETERMINE THE ADVISABILITY OF TRANSFERRING CORRECTIONAL EDUCATION SERVICES IN LIGHT OF THE POTENTIAL NEGATIVE IMPACT THE TRANSFER COULD HAVE ON THE EFFECTIVE OPERATION OF JUVENILE SERVICES EDUCATION; AND

(7) RECOMMEND THE COMPOSITION AND RESPONSIBILITIES OF A STATE ADVISORY COUNCIL ON ADULT EDUCATION, LITERACY, AND WORKFORCE DEVELOPMENT.”.

On page 17, in line 9, strike “**THE**” and substitute “**ON OR BEFORE DECEMBER 31, 2008, THE**”; and in lines 9 and 10, strike “**ON OR BEFORE DECEMBER 31, 2009**”.

AMENDMENT NO. 5

On page 17, in line 9, after “(E)” insert “(1)”; after line 13, insert:

“(2) THE REPORT SHALL INCLUDE A SUMMARY OF THE PLAN FOR THE SEAMLESS TRANSITION OF THE ADULT EDUCATION, LITERACY, AND CORRECTIONAL EDUCATION PROGRAMS FROM THE STATE DEPARTMENT OF EDUCATION INCLUDING:

(I) STRATEGIES FOR ENSURING PROGRAM CONTINUITY FOR CLIENTS OF THE AFFECTED PROGRAMS;

(II) STRATEGIES FOR ENSURING CONTINUITY IN THE STATE ADMINISTRATION OF AFFECTED GRANT PROGRAMS;

(III) PROVISIONS REGARDING AFFECTED EMPLOYEES, INCLUDING A SPECIFIC ANALYSIS OF THE TRANSFER OF EMPLOYEES WITH SHARED RESPONSIBILITIES FOR ADULT CORRECTIONAL EDUCATION AND JUVENILE SERVICES EDUCATION SUCH AS GRANT MANAGERS AND PROGRAM COORDINATORS;

(IV) STRATEGIES FOR COORDINATING THE ACTIVITIES AND RESPONSIBILITIES OF UNITS OF STATE GOVERNMENT INVOLVED IN ADMINISTERING THE TRANSFERRED PROGRAMS; AND

(V) STRATEGIES FOR ADDRESSING POTENTIAL CHALLENGES TO IMPLEMENTING THE TRANSITION OF THE AFFECTED

(Over)

PROGRAMS IN A MANNER THAT ENSURES THE CONTINUED DELIVERY OF QUALITY CONTENT TO CLIENTS OF THE AFFECTED PROGRAMS.”;

after line 14, insert:

“THE DEPARTMENT SHALL BE RESPONSIBLE FOR THE DEVELOPMENT OF THE STATE PLAN FOR ADULT EDUCATION AND LITERACY SERVICES AND ITS SUBMISSION TO THE FEDERAL DEPARTMENT OF EDUCATION.

11-805.”;

and in line 29, strike “**11-805.**” and substitute “11-806.”.

On page 18, in line 14, strike “**11-806.**” and substitute “11-807.”; and in line 17, strike “**DEPARTMENT**” and substitute “SECRETARY”.

On page 19, in line 8, strike “**11-807.**” and substitute “11-808.”.

AMENDMENT NO. 6

On page 20, in line 6, strike “**DEPARTMENT**” and substitute “SECRETARY”; in line 14, strike “**SIX**” and substitute “SEVEN”; in line 24, strike “**AND**”; after line 24, insert:

“(V) AN OFFICIAL FROM A LOCAL CORRECTIONAL FACILITY;
AND”;

and in line 25, strike “(V)” and substitute “(VI)”.

On page 23, in line 24, after “(A)” insert “THE DEPARTMENT IS RESPONSIBLE FOR THE PROVISION OF EDUCATION AND WORKFORCE SKILLS”.

TRAINING PROGRAMS IN THE ADULT CORRECTIONAL INSTITUTIONS IN THE STATE.

(B)”;

and in lines 24 and 25, strike “**OF THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION**”.

On page 24, in lines 1 and 3, strike “**(B)**” and “**(C)**”, respectively, and substitute “**(C)**” and “**(D)**”, respectively; after line 12, insert:

“IN THIS SUBTITLE, “FEDERAL ACTS” MEANS THE ACTS OF CONGRESS THAT AUTHORIZE FUNDING FOR EDUCATION, LIBRARY SERVICES, AND WORKFORCE DEVELOPMENT TRAINING FOR INMATES IN ADULT CORRECTIONAL FACILITIES, AND ANY AMENDMENTS TO THOSE ACTS.

11-905.

(A) THE STATE OF MARYLAND ASSENTS TO THE FEDERAL ACTS.

(B) THE STATE TREASURER SHALL:

(1) BE THE CUSTODIAN OF ANY MONEY RECEIVED UNDER THE FEDERAL ACTS; AND

(2) DISBURSE THIS MONEY IN ACCORDANCE WITH THE FEDERAL ACTS.

(C) THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION AND THE STATE BOARD OF EDUCATION, AS APPROPRIATE, SHALL:

(Over)

(1) COOPERATE WITH THE APPROPRIATE FEDERAL AGENCIES IN ADMINISTERING THE FEDERAL ACTS;

(2) DO ANYTHING NECESSARY TO SECURE THE BENEFITS OF THE FEDERAL ACTS;

(3) FACILITATE THE TRANSFER OF FUNDS TO THE APPROPRIATE OPERATIONAL AGENCY; AND

(4) REPRESENT THIS STATE IN ALL MATTERS RELATING TO THE ADMINISTRATION OF THE FEDERAL ACTS.

11-906.”;

strike beginning with “**EDUCATION**” in line 15 down through “**COUNCIL**” in line 16 and substitute “**EDUCATION AND WORKFORCE TRAINING AND COORDINATING COUNCIL**”; and in line 27, strike “**11-905.**” and substitute “**11-907.**”.

AMENDMENT NO. 7

On page 25, after line 8, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) (1) The responsibility for the provision of adult education and literary services in the State shall be transferred to the Department of Labor, Licensing, and Regulation on July 1, 2009.

(2) The responsibility for the provision of education and workforce skills training programs in the adult correctional institutions in the State shall be transferred to the Department of Labor, Licensing, and Regulation on July 1, 2009.

(b) (1) Funding for the services and programs transferred to the Department under subsection (a) of this section shall be included in the fiscal 2010 budget of the Department.

(2) Federal fund grants directed to the State through other State agencies shall be transferred to the Department on July 1, 2009.”;

after line 18, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That, pursuant to § 7-209(e)(2)(iv) of the State Finance and Procurement Article, the Governor is authorized to transfer appropriations, including general funds, special funds, and federal funds, from the State Department of Education to the Department of Labor, Licensing, and Regulation as necessary to carry out the provisions of this Act.

SECTION 7. AND BE IT FURTHER ENACTED, That, subject to the availability of State or federal funds, the consent of the grantees or contractors, and satisfactory performance of services, all adult education, family literacy, and correctional education grants and funding contracts, within the scope of Section 1 of this Act and awarded prior to the effective date of this Act, shall be continued, without the need for rebidding, through Fiscal Year 2009 and Fiscal Year 2010.

SECTION 8. AND BE IT FURTHER ENACTED, That any new grants or funding contracts awarded between July 1, 2008 and June 30, 2009 for adult education, family literacy, and correctional education, within the scope of Section 1 of this Act, shall be awarded only after consultation between the State Department of Education and the Department of Labor, Licensing, and Regulation.”;

and in lines 9, 15, 19, 25, 34, and 40, strike “3.”, “4.”, “5.”, “6.”, “7.”, and “8.”, respectively, and substitute “4.”, “5.”, “9.”, “10.”, “11.”, and “12.”, respectively.