

SENATE BILL 992

O1, C5

9lr2849
CF HB 268

By: **Senator Kelley**

Introduced and read first time: February 25, 2009

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Welfare to Work – Job Skills Enhancement Program – Green Jobs**

3 FOR the purpose of codifying the requirement that the Secretary of Budget and
4 Management develop and implement a plan for hiring within State government
5 certain welfare recipients; clarifying that a certain hiring plan includes certain
6 current and former Family Investment Program (FIP) recipients; clarifying that
7 the Secretary of Human Resources and certain local directors develop and
8 implement certain local government hiring plans for current and former FIP
9 recipients; requiring that the job skills enhancement program include job
10 training for employment in certain energy efficiency and renewable energy
11 industries; authorizing the Secretary of Human Resources to access certain
12 federal stimulus dollars for job training in certain industries; requiring that
13 certain procurement subcontracts be designated as appropriate for the
14 execution of certain hiring agreements; clarifying that certain model hiring
15 agreements include certain current and former FIP recipients; clarifying that
16 certain Maryland Strategic Energy Investment Program funds used in certain
17 low-income and moderate-income sectors include certain current and former
18 FIP recipients; requiring that certain Maryland Strategic Energy Investment
19 Program funds be used as grants to the job skills enhancement program for job
20 training in certain industries; altering the membership of the Strategic Energy
21 Investment Advisory Board to include the Secretary of Human Resources or the
22 Secretary's designee; requiring the Secretary of Human Resources to submit a
23 certain report on a certain program by a certain date; altering a certain
24 definition; and generally relating to welfare for work and job training and the
25 hiring of current and former Family Investment Program recipients.

26 BY repealing and reenacting, with amendments,
27 Article – Human Services
28 Section 5–304 and 5–318
29 Annotated Code of Maryland
30 (2007 Volume and 2008 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,
2 Article – State Finance and Procurement
3 Section 13–224
4 Annotated Code of Maryland
5 (2006 Replacement Volume and 2008 Supplement)

6 BY repealing and reenacting, without amendments,
7 Article – State Government
8 Section 9–20B–02 and 9–20B–07(a)
9 Annotated Code of Maryland
10 (2004 Replacement Volume and 2008 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – State Government
13 Section 9–20B–05(f) and (h) and 9–20B–07(c)(4)
14 Annotated Code of Maryland
15 (2004 Replacement Volume and 2008 Supplement)

16 BY repealing
17 Chapter 486 of the Acts of the General Assembly of 1999
18 Section 4

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

21 **Article – Human Services**

22 5–304.

23 (A) (1) **THE SECRETARY OF BUDGET AND MANAGEMENT, WITH THE**
24 **ASSISTANCE OF THE SECRETARY, SHALL DEVELOP AND IMPLEMENT A PLAN FOR**
25 **HIRING CURRENT AND FORMER RECIPIENTS BY THE PRINCIPAL DEPARTMENTS**
26 **WITHIN THE EXECUTIVE BRANCH OF STATE GOVERNMENT.**

27 (2) **FOR EACH PRINCIPAL DEPARTMENT, THE PLAN SHALL**
28 **INCLUDE:**

29 (I) **THE UNITS THAT MOST EASILY COULD HIRE CURRENT**
30 **AND FORMER RECIPIENTS;**

31 (II) **THE POSITIONS MOST SUITABLE FOR CURRENT AND**
32 **FORMER RECIPIENTS;**

33 (III) **A PROPOSAL FOR RECRUITING CURRENT AND FORMER**
34 **RECIPIENTS;**

1 (IV) JOB RETENTION STRATEGIES; AND

2 (V) A TARGET NUMBER OF CURRENT AND FORMER
3 RECIPIENTS TO BE RECRUITED.

4 (3) ON OR BEFORE NOVEMBER 1 OF EACH YEAR AND IN
5 CONSULTATION WITH THE SECRETARY, THE SECRETARY OF BUDGET AND
6 MANAGEMENT SHALL REPORT, SUBJECT TO § 2-1246 OF THE STATE
7 GOVERNMENT ARTICLE, TO THE SENATE FINANCE COMMITTEE AND THE
8 HOUSE APPROPRIATIONS COMMITTEE OF THE GENERAL ASSEMBLY, ON:

9 (I) THE DEVELOPMENT OF THE HIRING PLAN FOR CURRENT
10 AND FORMER RECIPIENTS; AND

11 (II) THE NUMBER OF RECIPIENTS HIRED AND RETAINED BY
12 THE PRINCIPAL DEPARTMENTS WITHIN THE EXECUTIVE BRANCH OF STATE
13 GOVERNMENT.

14 [(a)] (B) (1) Working with appropriate local government officials, the
15 Secretary and each local director shall develop and implement a local government
16 hiring plan under which local governments may hire **CURRENT AND FORMER**
17 recipients.

18 [(b)] (2) For each jurisdiction, the local government hiring plan shall
19 include:

20 [(1)] (I) a list of the units that most easily could hire **CURRENT AND**
21 **FORMER** recipients;

22 [(2)] (II) a list of the employment positions most suitable for
23 **CURRENT AND FORMER** recipients;

24 [(3)] (III) proposals to recruit **CURRENT AND FORMER** recipients;

25 [(4)] (IV) employment retention strategies; and

26 [(5)] (V) a target number of **CURRENT AND FORMER** recipients to be
27 recruited.

28 [(c)] (3) Each local director shall:

29 [(1)] (I) develop and submit the local government hiring plan in
30 accordance with a schedule and format that the Secretary determines;

1 [(2)] (II) implement in a timely manner the proposals and strategies
2 in the local government hiring plan;

3 [(3)] (III) achieve the target numbers in the local government hiring
4 plan; and

5 [(4)] (IV) develop and submit reports to the Secretary in accordance
6 with a schedule and format that the Secretary determines.

7 [(d)] (4) On or before November 1 of each year and in consultation with the
8 Maryland Association of Counties, the Secretary shall report, subject to § 2-1246 of
9 the State Government Article, to the Senate Finance Committee and the House
10 Appropriations Committee of the General Assembly, on:

11 [(1)] (I) the development of the local government hiring plan; and

12 [(2)] (II) the number of **CURRENT AND FORMER** recipients hired and
13 retained by local governments.

14 5-318.

15 (a) (1) In cooperation with the local directors, the Secretary shall
16 establish a job skills enhancement program to provide newly employed current and
17 former recipients with training to:

18 (i) enhance existing job-related skills;

19 (ii) gain additional or alternative job skills; or

20 (iii) learn interpersonal, communication, and other related skills.

21 (2) The job skills enhancement program shall be established in at least
22 three counties, one of which shall be located in Western Maryland, Southern
23 Maryland, or the Eastern Shore.

24 (b) The job skills enhancement program shall:

25 (1) target unskilled and semiskilled former and current recipients who
26 are newly employed in entry-level positions that have limited potential for
27 advancement beyond entry-level; **OR**

28 (2) **TARGET JOB TRAINING FOR FORMER AND CURRENT**
29 **RECIPIENTS FOR EMPLOYMENT IN ENERGY AND ENVIRONMENTAL INDUSTRIES,**
30 **INCLUDING:**

1 (I) THE ENERGY-EFFICIENT BUILDING, CONSTRUCTION,
2 AND RETROFITS INDUSTRIES;

3 (II) THE RENEWABLE ELECTRIC POWER INDUSTRY;

4 (III) THE ENERGY EFFICIENT AND ADVANCED DRIVE TRAIN
5 VEHICLE INDUSTRY;

6 (IV) THE BIOFUELS INDUSTRY;

7 (V) THE DECONSTRUCTION AND MATERIALS USE
8 INDUSTRIES;

9 (VI) THE ENERGY ASSESSMENT INDUSTRY SERVING THE
10 RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL SECTOR;

11 (VII) THE MANUFACTURING INDUSTRY THAT PRODUCES
12 SUSTAINABLE PRODUCTS USING ENVIRONMENTALLY SUSTAINABLE PROCESSES
13 AND MATERIALS;

14 (VIII) THE BROWNFIELDS REMEDIATION INDUSTRY;

15 (IX) THE STATE OF THE ART SEPTIC UPGRADES AND SEWAGE
16 TREATMENT INDUSTRY;

17 (X) ENVIRONMENTAL RESTORATION, INCLUDING STREAM
18 RESTORATION, REFORESTATION, INVASIVE REMOVAL, AND ACID MINE
19 DRAINAGE;

20 (XI) STATE OF THE ART STORM WATER INSTALLATION AND
21 RETROFITS;

22 (XII) AGRICULTURE CONSERVATION PRACTICES; AND

23 (XIII) THE GREEN ROOF INDUSTRY AND GREEN ROOF
24 MAINTENANCE INDUSTRY.

25 (c) (1) Participation in the job skills enhancement program shall be
26 voluntary.

27 (2) Individuals participating in the job skills enhancement program
28 shall sign a training agreement with the local department.

29 (d) To be eligible to participate in the job skills enhancement program, an
30 individual shall:

1 (1) have been a recipient during the 36 months before beginning
2 participation in the job skills enhancement program;

3 (2) have been employed in entry-level employment for at least 6
4 months before beginning participation in the job skills enhancement program;

5 (3) provide employer validation or other documentation of employment
6 status;

7 (4) have limited job skills; and

8 (5) have limited opportunity for advancement in the individual's
9 current employment.

10 (e) The local department shall contract for training services to be provided
11 under the job skills enhancement program, as provided in § 5-306 of this subtitle.

12 (f) (1) The local department may work with businesses to train and place
13 **CURRENT AND** former recipients in positions that meet the requirements of
14 paragraph (2) of this subsection.

15 (2) Participating businesses shall:

16 (i) provide employment with benefits paid to employees;

17 (ii) provide employment that has a defined career path;

18 (iii) demonstrate the active involvement and financial
19 commitment of the business; and

20 (iv) provide a match with cash or in-kind contributions on at
21 least a one-to-one basis.

22 (g) (1) At the discretion of the Secretary and in consultation with the local
23 director, the job skills enhancement program shall be administered by the local
24 department or through the State workforce investment area system under the
25 Workforce Investment Act.

26 (2) The Administrator of the program under paragraph (1) of this
27 subsection shall:

28 (i) manage each participant's training plan;

29 (ii) maintain a database of appropriate training vendors; and

30 (iii) compile necessary fiscal reports on the job skills
31 enhancement program.

1 (H) IN ADDITION TO ANY OTHER FUNDS AVAILABLE TO FUND THE JOB
2 SKILLS ENHANCEMENT PROGRAM, THE SECRETARY SHALL ATTEMPT TO ACCESS
3 RELEVANT FEDERAL STIMULUS DOLLARS DESIGNED TO REDUCE ENERGY USE
4 AND GLOBAL WARMING EMISSIONS THAT WOULD BE AVAILABLE FOR JOB
5 TRAINING IN THE INDUSTRIES LISTED UNDER SUBSECTION (B)(2) OF THIS
6 SECTION.

7 **Article – State Finance and Procurement**

8 13–224.

9 (a) (1) In this section the following words have the meanings indicated.

10 (2) “Department” means the Department of Human Resources.

11 (3) “Eligible contract” means a procurement contract **OR**
12 **SUBCONTRACT** designated by the Board as appropriate for the execution of a hiring
13 agreement.

14 (4) “FIP” means the Family Investment Program established under
15 Title 5, Subtitle 3 of the Human Services Article.

16 (5) “Hiring agreement” means an agreement entered into by the
17 Department or a local department and an entity doing business with the State under
18 which the Department or the local department and the entity agree to work
19 cooperatively in endeavoring to identify and hire **CURRENT AND FORMER FIP**
20 recipients to fill job openings of the entity.

21 (6) “Local department” means a local department of social services in a
22 county or in Baltimore City created or continued under § 3–201(a) of the Human
23 Services Article.

24 (b) On or before October 1, 1998, the Board, in consultation with the
25 Department, shall designate the types of procurement contracts **AND SUBCONTRACTS**
26 that are eligible contracts.

27 (c) (1) On or before December 1, 1998, the Department shall develop a
28 model hiring agreement form that shall be completed by the Department or a local
29 department and an entity in conjunction with the award of an eligible contract.

30 (2) The model hiring agreement form shall include the following
31 provisions:

32 (i) the entity will:

1 1. inform the Department or the local department, as
2 appropriate, of all of the entity's job openings;

3 2. declare the Department or the local department, as
4 appropriate, its "first source" in identifying and hiring candidates to fill those job
5 openings;

6 3. work cooperatively with the Department or the local
7 department, as appropriate, to develop any necessary training programs that will
8 enable **CURRENT AND FORMER** FIP recipients in qualifying for and securing the
9 positions;

10 4. give first preference and first consideration to the
11 extent permitted by law and any existing labor agreements to candidates referred to
12 the entity by the Department or the local department, as appropriate;

13 5. agree to give candidates referred to the entity by the
14 Department or the local department, as appropriate, priority in the filling of a job
15 opening if the candidate meets the qualifications of the position;

16 6. provide the Department or the local department, as
17 appropriate, with information on the disposition of all referrals made by the
18 Department or the local department, as appropriate, including an explanation of why
19 any such candidate was not hired or considered qualified;

20 7. provide the Department or the local department, as
21 appropriate, with information regarding the progress and employment status of those
22 candidates referred by the Department or the local department, as appropriate, that
23 the entity hired; and

24 8. designate a specific individual that the Department or
25 the local department, as appropriate, may contact in regard to the provisions of the
26 hiring agreement; and

27 (ii) the Department or the local department, as appropriate, will
28 assign an account representative to the entity who will:

29 1. receive and process all of the entity's job notifications;

30 2. refer only screened and qualified candidates to the
31 entity;

32 3. assist in the development of any mutually agreed
33 upon training programs, internship programs, or both that will better prepare
34 **CURRENT AND FORMER** FIP recipients for employment with the entity;

1 4. arrange follow-up and post-hire
2 transitional/supportive services, such as child care and transportation, as necessary
3 and appropriate; and

4 5. review and evaluate the effectiveness of the hiring
5 agreement with the entity and make modifications in the agreement as necessary and
6 appropriate.

7 (d) Each year, the Department and any local departments that have entered
8 into hiring agreements shall submit a report to the Board, the Joint Committee on
9 Welfare Reform, and, subject to § 2-1246 of the State Government Article, the General
10 Assembly on:

11 (1) the number of hiring agreements executed;

12 (2) the number of **CURRENT AND FORMER FIP** recipients hired by an
13 entity with which a hiring agreement was executed; and

14 (3) the effectiveness of each hiring agreement in obtaining
15 employment for **CURRENT AND FORMER FIP** recipients.

16 **Article – State Government**

17 9-20B-02.

18 There is a Maryland Strategic Energy Investment Program in the Maryland
19 Energy Administration.

20 9-20B-05.

21 (f) The Administration shall use the Fund:

22 (1) to invest in the promotion, development, and implementation of:

23 (i) cost-effective energy efficiency and conservation programs,
24 projects, or activities, including measurement and verification of energy savings;

25 (ii) renewable and clean energy resources;

26 (iii) climate change programs directly related to reducing or
27 mitigating the effects of climate change; and

28 (iv) demand response programs that are designed to promote
29 changes in electric usage by customers in response to:

30 1. changes in the price of electricity over time; or

1 2. incentives designed to induce lower electricity use at
2 times of high wholesale market prices or when system reliability is jeopardized;

3 (2) to provide targeted programs, projects, activities, and investments
4 to reduce electricity consumption by customers, **INCLUDING CURRENT AND FORMER**
5 **FAMILY INVESTMENT PROGRAM RECIPIENTS**, in the low-income and
6 moderate-income residential sectors;

7 (3) to provide supplemental funds for low-income energy assistance
8 through the Electric Universal Service Program established under § 7-512.1 of the
9 Public Utility Companies Article and other electric assistance programs in the
10 Department of Human Resources;

11 (4) to provide rate relief by offsetting electricity rates of residential
12 customers, including an offset of surcharges imposed on ratepayers under § 7-211 of
13 the Public Utility Companies Article;

14 (5) to provide grants, loans, and other assistance and investment as
15 necessary and appropriate to implement the purposes of the Program as set forth in §
16 9-20B-03 of this subtitle;

17 (6) to implement energy-related public education and outreach
18 initiatives regarding reducing energy consumption and greenhouse gas emissions; and

19 (7) to pay the expenses of the Program.

20 (h) (1) Energy efficiency and conservation programs under subsection
21 (g)(3) of this section include:

22 (i) low-income energy efficiency programs;

23 (ii) residential and small business energy efficiency programs;

24 (iii) commercial and industrial energy efficiency programs;

25 (iv) State and local energy efficiency programs;

26 (v) demand response programs;

27 (vi) loan programs and alternative financing mechanisms; and

28 (vii) grants to:

29 **1.** training funds and other organizations supporting job
30 training for deployment of energy efficiency and energy conservation technology and
31 equipment; **AND**

1 **2. THE JOB SKILLS ENHANCEMENT PROGRAM**
2 **UNDER § 5-318 OF THE HUMAN SERVICES ARTICLE TO PROVIDE JOB TRAINING**
3 **FOR EMPLOYMENT IN ENERGY AND ENVIRONMENTAL INDUSTRIES, INCLUDING:**

4 **A. THE ENERGY-EFFICIENT BUILDING,**
5 **CONSTRUCTION, AND RETROFITS INDUSTRIES;**

6 **B. THE RENEWABLE ELECTRIC POWER INDUSTRY;**

7 **C. THE ENERGY EFFICIENT AND ADVANCED DRIVE**
8 **TRAIN VEHICLE INDUSTRY;**

9 **D. THE BIOFUELS INDUSTRY;**

10 **E. THE DECONSTRUCTION AND MATERIALS USE**
11 **INDUSTRIES;**

12 **F. THE ENERGY ASSESSMENT INDUSTRY SERVING**
13 **THE RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL SECTOR;**

14 **G. THE MANUFACTURING INDUSTRY THAT**
15 **PRODUCES SUSTAINABLE PRODUCTS USING ENVIRONMENTALLY SUSTAINABLE**
16 **PROCESSES AND MATERIALS;**

17 **H. THE BROWNFIELDS REMEDIATION INDUSTRY;**

18 **I. THE STATE OF THE ART SEPTIC UPGRADES AND**
19 **SEWAGE TREATMENT INDUSTRY;**

20 **J. ENVIRONMENTAL RESTORATION, INCLUDING**
21 **STREAM RESTORATION, REFORESTATION, INVASIVE REMOVAL, AND ACID MINE**
22 **DRAINAGE;**

23 **K. STATE OF THE ART STORM WATER INSTALLATION**
24 **AND RETROFITS;**

25 **L. AGRICULTURE CONSERVATION PRACTICES; AND**

26 **M. THE GREEN ROOF INDUSTRY AND GREEN ROOF**
27 **MAINTENANCE INDUSTRY.**

28 (2) Energy-related public education and outreach and renewable and
29 clean energy programs and initiatives under subsection (g)(4)(i) and (ii) of this section
30 include:

- 1 (i) production incentives for specified renewable energy sources;
- 2 (ii) expansion of existing grant programs for solar, geothermal,
3 and wind programs;
- 4 (iii) loan programs and alternative financing mechanisms; and
- 5 (iv) consumer education and outreach programs that are
6 designed to reach low-income communities.

7 9-20B-07.

8 (a) There is a Strategic Energy Investment Advisory Board.

9 (c) The Board consists of the following members:

10 (4) the following nonvoting ex officio members:

11 (i) the Chairman of the Public Service Commission or the
12 Chairman's designee;

13 (ii) the People's Counsel or the designee of the People's Counsel;
14 [and]

15 (iii) the Secretary of the Environment or the Secretary's
16 designee; AND

17 (IV) THE SECRETARY OF HUMAN RESOURCES OR THE
18 SECRETARY'S DESIGNEE.

19 **Chapter 486 of the Acts of 1999**

20 [SECTION 4. AND BE IT FURTHER ENACTED, That the Secretary of Budget
21 and Management, with assistance provided by the Secretary of Human Resources,
22 develop and implement a plan for hiring welfare recipients by the principal
23 departments within the Executive Branch of State Government. Components of the
24 plan shall include, for each agency: the units that could most easily hire welfare
25 clients; the positions most suitable for the welfare population; a proposal for recruiting
26 welfare clients; job retention strategies; and a target number of clients to be recruited.
27 The Secretary of Budget and Management shall report to the Senate Finance
28 Committee and the House Appropriations Committee, subject to § 2-1246 of the State
29 Government Article, no later than November 1, 1999, on the development of the plan
30 for recruiting and hiring welfare recipients, and annually thereafter on the number of
31 welfare recipients hired and retained by the principal departments within the
32 Executive Branch of State Government.]

1 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before September
2 1, 2009, the Secretary of Human Resources shall report, subject to § 2-1246 of the
3 State Government Article, to the Senate Finance Committee, the House
4 Appropriations Committee, and the Joint Committee on Welfare Reform of the
5 General Assembly, on the Department of Human Resources plans to:

6 (1) increase participation of existing Family Investment Program
7 (FIP) recipients in the job skills enhancement program;

8 (2) make former FIP recipients aware of the options for receiving job
9 training through the job skills enhancement program for employment in energy
10 efficiency and renewable energy industries; and

11 (3) access federal stimulus dollars to reduce energy use and global
12 warming emissions for job training under the job skills enhancement program.

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 July 1, 2009.