

SENATE BILL 1109

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By: **Chair, Finance Committee (By Request – Departmental – Aging)**

Introduced and read first time: February 22, 2016

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Division of Workforce Development and Adult Learning – Transfer of Senior**
3 **Community Service Employment Program**

4 FOR the purpose of requiring the Division of Workforce Development and Adult Learning
5 to administer any community service employment programs delegated to the State
6 under certain provisions of federal law; requiring the responsibility for carrying out
7 the Senior Community Service Employment Program to be transferred to the
8 Division on a certain date; requiring that certain appropriations be transferred to
9 the Division on a certain date; providing for the transfer of certain functions, powers,
10 duties, property, records, fixtures, credits, assets, liability, obligations, rights, and
11 privileges; requiring that certain employees of the Department of Aging be
12 transferred to the Division without diminution of their rights, benefits, employment,
13 and retirement status; requiring that certain positions at the Department be
14 transferred to the Division; requiring that certain participants of the Program be
15 transferred to the Division without change or loss of rights or status; providing for
16 the continuity of certain transactions affected by or flowing from this Act; providing
17 for the continuity of certain laws, regulations, standards and guidelines, policies,
18 orders and other directives, forms, plans, membership, contracts, property,
19 investigations, administrative and judicial responsibilities, rights, and other duties
20 and responsibilities; and generally relating to the transfer of the Senior Community
21 Service Employment Program to the Division of Workforce Development and Adult
22 Learning.

23 BY repealing and reenacting, with amendments,
24 Article – Labor and Employment
25 Section 11–103
26 Annotated Code of Maryland
27 (2008 Replacement Volume and 2015 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Labor and Employment**

2 11–103.

3 (a) The Division shall:

4 (1) promote apprenticeship and training programs;

5 (2) administer job training, placement, and service programs;

6 (3) implement the provisions of the Workforce Investment Act;

7 (4) administer adult education and literacy services programs;

8 (5) conduct educational and job skills training programs in adult
9 correctional facilities;

10 (6) oversee any other units established pursuant to State or federal
11 employment, training, or manpower statutes; [and]

12 (7) administer those programs assigned to the Division by law or
13 designated by the Secretary; AND

14 **(8) ADMINISTER ANY COMMUNITY SERVICE EMPLOYMENT PROGRAMS**
15 **DELEGATED TO THE STATE UNDER TITLE V OF THE FEDERAL OLDER AMERICANS**
16 **ACT OF 1965.**

17 (b) The Division shall meet and confer on a regular basis with representatives of
18 the State's community colleges, appointed by the Maryland Association of Community
19 Colleges, and the adult education community, appointed by the Maryland Association for
20 Adult Continuing and Community Education, to assure that adult education and literacy
21 services and job training activities and resources are effectively coordinated.

22 SECTION 2. AND BE IT FURTHER ENACTED, That:

23 (a) The responsibility for carrying out the Senior Community Service
24 Employment Program shall be transferred to the Division of Workforce Development and
25 Adult Learning on July 1, 2016.

26 (b) All appropriations, including State and federal funds, held by the Department
27 of Aging to carry out the Senior Community Service Employment Program shall be
28 transferred to the Division of Workforce Development and Adult Learning on July 1, 2016.

29 (c) On July 1, 2016, all of the functions, powers, duties, books and records
30 (including electronic records), real and personal property, equipment, fixtures, assets,

1 liabilities, obligations, credits, rights, and privileges of the Senior Community Service
2 Employment Program shall be transferred to the Division of Workforce Development and
3 Adult Learning.

4 SECTION 3. AND BE IT FURTHER ENACTED, That all employees of the
5 Department of Aging who, on June 30, 2016, work more than 50% of the time for the Senior
6 Community Service Employment Program shall be transferred to the Division of Workforce
7 Development and Adult Learning without diminution of their rights, benefits, employment,
8 or retirement status.

9 SECTION 4. AND BE IT FURTHER ENACTED, That all positions at the
10 Department of Aging that, on June 30, 2016, are assigned more than 50% of the time to the
11 Senior Community Service Employment Program shall be transferred to the Division of
12 Workforce Development and Adult Learning.

13 SECTION 5. AND BE IT FURTHER ENACTED, That all participants in the Senior
14 Community Service Employment Program as of June 30, 2016, shall be transferred to the
15 Division of Workforce Development and Adult Learning without any change or loss of rights
16 or status.

17 SECTION 6. AND BE IT FURTHER ENACTED, That any transaction affected by
18 the transfer of the Senior Community Service Employment Program to the Division of
19 Workforce Development and Adult Learning and validly entered into before the effective
20 date of this Act, and every right, duty, or interest flowing from it remains valid after the
21 effective date of this Act and may be terminated, completed, consummated, or enforced
22 under the law.

23 SECTION 7. AND BE IT FURTHER ENACTED, That all existing laws, regulations,
24 proposed regulations, standards and guidelines, policies, orders and other directives, forms,
25 plans, memberships, contracts, property, investigations, administrative and judicial
26 responsibilities, rights to sue and be sued, and all other duties and responsibilities
27 associated with the functions of the Senior Community Service Employment Program prior
28 to the effective date of this Act shall continue under and, as appropriate, are legal and
29 binding on the Division of Workforce Development and Adult Learning until completed,
30 withdrawn, canceled, modified, or otherwise changed under the law.

31 SECTION 8. AND BE IT FURTHER ENACTED, That this Act shall take effect July
32 1, 2016.