

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

Re-referred to: Finance, March 2, 2016

Committee Report: Favorable

Senate action: Adopted

Read second time: March 22, 2016

CHAPTER _____

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,

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 Article – Labor and Employment
2 Section 11–103
3 Annotated Code of Maryland
4 (2008 Replacement Volume and 2015 Supplement)

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

7 **Article – Labor and Employment**

8 11–103.

9 (a) The Division shall:

- 10 (1) promote apprenticeship and training programs;
- 11 (2) administer job training, placement, and service programs;
- 12 (3) implement the provisions of the Workforce Investment Act;
- 13 (4) administer adult education and literacy services programs;
- 14 (5) conduct educational and job skills training programs in adult
15 correctional facilities;
- 16 (6) oversee any other units established pursuant to State or federal
17 employment, training, or manpower statutes; [and]
- 18 (7) administer those programs assigned to the Division by law or
19 designated by the Secretary; **AND**

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

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

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

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

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

4 (c) On July 1, 2016, all of the functions, powers, duties, books and records
5 (including electronic records), real and personal property, equipment, fixtures, assets,
6 liabilities, obligations, credits, rights, and privileges of the Senior Community Service
7 Employment Program shall be transferred to the Division of Workforce Development and
8 Adult Learning.

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

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

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

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

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

36 SECTION 8. AND BE IT FURTHER ENACTED, That this Act shall take effect July
37 1, 2016.