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HOUSE/SENATE BILL _____

2015 Regular Session

By:

Introduced and read first time:

Assigned to:

A BILL ENTITLED

AN ACT concerning

INMATES EMPLOYMENT AND REHABILITATION RESOURCES

FOR the purpose of

without tax increases, reallocating existing corrections funds to expand Correctional Enterprises; directing that Correctional Enterprises also may cooperate with other ex-offenders employment-assistance programs, enterprise employers, and other employers to offer other employment opportunities to inmates during and after incarceration.

BY amending

Article – Correctional Services
Sections 3-502, 3-506, 3-507 and 3-513
Annotated Code of Maryland
(Replacement Volume)

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

Article – Correctional Services

§ 3-502. Legislative policy

The purpose of this subtitle is to establish a Maryland Correctional Enterprises organization in the Division that:

- (1) is financially self-supporting, generates revenue for its operations and capital investments, and reimburses the Division at a reasonable rate for services exchanged between the Division and Maryland Correctional Enterprises;
- (2) provides meaningful work experiences for inmates that are intended to allow inmates to improve work habits, attitudes, and skills for the purpose of improving the employability of the inmates on release;
- (3) seeks to develop industries that provide full-time work experience or rehabilitation programs for all eligible inmates;
- (4) operates correctional industries in an environment that resembles as closely as possible the environment of private sector business operations;
- (5) COOPERATES WITH LOCAL CORRECTIONS ADMINISTRATORS, CORRECTIONAL EDUCATION, WORKFORCE DEVELOPMENT, ENTERPRISE EMPLOYERS AND OTHER EMPLOYERS TO OFFER FURTHER EMPLOYMENT OPPORTUNITIES TO INMATES DURING INCARCERATION AND AS PART OF THEIR REENTRY TRANSITION; and
- (6) makes the Division responsible for and accountable to the Secretary and the Governor for the Maryland Correctional Enterprises program.

§ 3-506. Staff

(a)(1) The Chief Executive Officer:

- (i) shall determine the personnel requirements of Maryland Correctional Enterprises;
- (ii) is the appointing authority for all personnel of Maryland Correctional Enterprises; and
- (iii) may hire individuals and inmates consistent with existing policies and procedures of Maryland Correctional Enterprises as of July 1, 2012.

(2) The number of positions for Maryland Correctional Enterprises shall be included within the total personnel allocations provided for the Department.

(3) BY AGREEMENT BETWEEN THE COMMISSIONER AND THE CHIEF EXECUTIVE OFFICER, DEPARTMENT EMPLOYEES MAY BE TRANSFERRED TO ACT AS STAFF CONSISTENT WITH EXISTING POLICIES AND PROCEDURES OF MARYLAND CORRECTIONAL ENTERPRISES.

(b) Special appointment positions in Maryland Correctional Enterprises are managerial, supervisory, and confidential positions.

§ 3-507. Budget; funding

(a) The Department shall include the budget for Maryland Correctional Enterprises in the Department's budget.

(b)(1) Maryland Correctional Enterprises may establish a revolving fund to contain an amount that the Treasurer approves.

(2)(i) Subject to the provisions of subparagraph (ii) of this paragraph, the revolving fund may be used for general operating expenses and the purchase of capital assets.

(ii) The revolving fund may be used to provide financial assistance, up to ~~\$250,000~~ **\$500,000** in a fiscal year, to the Division of Correction to establish and operate employment readiness training programs and transitional services to rehabilitate inmates currently or previously employed by Maryland Correctional Enterprises AND TO COORDINATE TRANSITIONAL SERVICES WITH LOCAL CORRECTIONS ADMINISTRATORS, CORRECTIONAL EDUCATION, WORKFORCE DEVELOPMENT, ENTERPRISE EMPLOYERS AND OTHER EMPLOYERS.

(3) The revolving fund established under paragraph (1) of this subsection is not subject to § 7-302 of the State Finance and Procurement Article.

(4) Maryland Correctional Enterprises shall submit an annual statement to the Comptroller and the Treasurer that provides an accurate and detailed accounting of all receipts and disbursements from the revolving fund.

(c) General Fund money may be appropriated to Maryland Correctional Enterprises to be used for the direct expenses of training inmates.

§ 3-513. Occupational experience

(a)(1) In accordance with subsection (b)(1) of this section, the Commissioner and Chief Executive Officer shall develop programs to provide inmates with occupational experience to complement personnel development plans of the State Department of Education and other units of State government serving inmates in the Division.

(2) THE CHIEF EXECUTIVE OFFICER, AFTER APPROPRIATE CONSULTATION, ALSO SHALL DEVELOP PROGRAMS TO PROVIDE OCCUPATIONAL EXPERIENCE TO INMATES WHO, BY REASON OF DISABILITIES SUCH AS VISION OR HEARING LOSS OR LEARNING DISABILITIES, MAY BE UNABLE TO COMPLETE A HIGH SCHOOL DIPLOMA WITHIN THE CORRECTIONAL EDUCATION PROGRAM.

(b)(1) In establishing programs required under subsection (a) of this section, the Commissioner and Chief Executive Officer shall consult with:

(i) the Assistant Secretary for the Division of Employment and Training, Department of Labor, Licensing, and Regulation;

(ii) the Assistant State Superintendent for the Division of Career Technology and Adult Learning, State Department of Education;

(iii) the Commissioner of the Division of Labor and Industry, Department of Labor, Licensing, and Regulation; and

(iv) the Director of the Correctional Education Program, State Department of Education.

(2) The individuals listed in paragraph (1) of this subsection shall provide appropriate assistance to the Commissioner and Chief Executive Officer in carrying out this section.

SECTION 2 . AND BE IT FURTHER ENACTED, That sections 1 of this Act shall take effect on July 1, 2016.

Last Revision: 11/12/14

DRAFT