

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL NO. 890

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "authorizing" in line 3 down through the second "of" in line 4 and substitute "requiring"; in line 5, after "Commission" insert "to develop and implement a certain program design and a certain course curriculum and training for certain employees of the Department of Juvenile Justice and certain employees of nonprofit and for-profit entities under contract with the Department under certain circumstances"; strike beginning with "providing" in line 5 down through "employees" in line 6 and substitute "stating a certain finding of the General Assembly"; in line 7, after "membership" insert "and appointment of certain members"; in the same line, after "Commission;" insert "requiring the Commission to elect annually a chairperson; altering the appointment of certain employees of the Commission; requiring the Commission to establish certain qualifications for certain appointment as a certain employee; altering a certain definition; defining a certain term"; strike in their entirety lines 10 through 14, inclusive; in line 17, strike "8-208," and substitute "8-205, 8-206, 8-208, and"; and in the same line, strike ", and 8-210".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 22 on page 1 through line 7 on page 2, inclusive.

On page 2, in line 16, strike the colon; in line 17, strike "(I)"; in lines 19, 20, and 21, in each instance, strike the brackets; in lines 19, 20, and 21, strike "1.", "2.", and "3.", respectively; in line 21, strike "; AND" and substitute a period; and strike in their entirety lines 22 through 28, inclusive.

On page 3, after line 11, insert:

"(H) (1) "DEPARTMENT OF JUVENILE JUSTICE EMPLOYEE" MEANS A YOUTH SUPERVISOR, YOUTH COUNSELOR, DIRECT CARE WORKER, OR OTHER EMPLOYEE OF THE DEPARTMENT OF JUVENILE JUSTICE WHOSE EMPLOYMENT

(Over)

RESPONSIBILITY IS THE INVESTIGATION, CUSTODY, CONTROL, OR SUPERVISION OF MINORS, JUVENILE DELINQUENTS, AND YOUTHFUL OFFENDERS WHO ARE COMMITTED, DETAINED, AWAITING PLACEMENT, ADJUDICATED DELINQUENT, OR ARE OTHERWISE UNDER THE SUPERVISION OF THE DEPARTMENT OF JUVENILE JUSTICE.

(2) “DEPARTMENT OF JUVENILE JUSTICE EMPLOYEE” INCLUDES AN EMPLOYEE OF ANY NONPROFIT OR FOR-PROFIT ENTITY UNDER CONTRACT WITH THE DEPARTMENT OF JUVENILE JUSTICE WHOSE EMPLOYMENT RESPONSIBILITY IS THE INVESTIGATION, CUSTODY, CONTROL, OR SUPERVISION OF MINORS, JUVENILE DELINQUENTS, AND YOUTHFUL OFFENDERS AS DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION.”;

and in line 12, strike “(h)” and substitute “(I)”.

On pages 3 and 4, strike beginning with “CORRECTIONAL” in line 34 on page 3 through “ADJUDICATED” in line 2 on page 4 and substitute “DEPARTMENT OF JUVENILE JUSTICE EMPLOYEES”.

On page 4, in line 6, strike “Deputy”; strike beginning with “OR” in line 7 down through “SECTION” in line 9; in lines 22 and 26, in each instance, strike “three” and substitute “FOUR”; in line 24, strike “With the approval of the” and substitute “THE”; in the same line, strike “, the Secretary shall appoint three” and substitute “SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, FOUR”; and in line 25, after “Commission” insert “, AT LEAST ONE OF WHOM SHALL BE A DEPARTMENT OF JUVENILE JUSTICE EMPLOYEE OR OFFICIAL”.

AMENDMENT NO. 3

On page 5, strike in their entirety lines 6 through 19, inclusive; in line 20, strike the brackets and “(D)”; in the same line, strike “three” and substitute “FOUR”; in the same line, strike “Secretary” and substitute “GOVERNOR”; after line 24, insert:

“8-205.

(a) [The Deputy Secretary of Public Safety and Correctional Services or the Deputy Secretary's representative is the chairperson of the Commission] THE COMMISSION SHALL ELECT ANNUALLY A CHAIRPERSON FROM AMONG ITS MEMBERS.

(b) The Commission shall elect annually a vice chairperson from among its members.

8-206.

(a) (1) [With the approval of the Secretary, the] THE Commission shall appoint an Executive Director.

(2) The Executive Director shall perform general administrative functions.

(3) The Executive Director serves at the pleasure of the Commission.

(b) (1) [With the approval of the Secretary, the] THE Commission shall appoint a Deputy Director and any other employees that the Commission considers necessary to perform general administrative and training management functions.

(2) The Deputy Director and other employees appointed under paragraph (1) of this subsection shall serve at the pleasure of the Commission.

(c) [With the approval of the Secretary, the] THE Commission shall employ other individuals as necessary to carry out this subtitle.

(d) The Executive Director, the Deputy Director, and other employees of the Commission are entitled to receive compensation as established by the Commission in accordance with the State budget.”;

in line 26, before “Subject” insert “(A)”; and in the same line, strike “Subject to the authority of the Secretary, the” and substitute “THE”.

AMENDMENT NO. 4

(Over)

On page 6, in line 25, before "TO" insert "SUBJECT TO SUBSECTION (B) OF THIS SECTION,"; strike beginning with "CORRECTIONAL" in line 26 down through "DELINQUENT" in line 30 and substitute "DEPARTMENT OF JUVENILE JUSTICE EMPLOYEES"; and after line 32, insert:

"(B) THE COST AND EXPENSES FOR ANY COURSE OR TRAINING REQUIRED UNDER SUBSECTION (A)(14) OF THIS SECTION FOR DEPARTMENT OF JUVENILE JUSTICE EMPLOYEES WHO ARE EMPLOYEES OF ANY NONPROFIT OR FOR-PROFIT ENTITY UNDER CONTRACT WITH THE DEPARTMENT OF JUVENILE JUSTICE SHALL BE PAID FOR OR REIMBURSED BY THE NONPROFIT OR FOR-PROFIT ENTITY, AND MAY NOT BE A PART OF OR REIMBURSED BY FUNDS FROM THE CONTRACT WITH THE DEPARTMENT OF JUVENILE JUSTICE."

On page 7, in line 2, strike the brackets; in the same line, strike "EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, AN"; in line 13, strike beginning with "FOR" in line 13 down through "JUSTICE" in line 16 and substitute "THE COMMISSION"; in line 17, strike "CORRECTIONAL OFFICER AS DEFINED IN § 8-201" and substitute "DEPARTMENT OF JUVENILE JUSTICE EMPLOYEE"; and strike in their entirety lines 18 through 21, inclusive.