

HOUSE BILL 892

Unofficial Copy  
E3

2001 Regular Session  
(11r1742)

*ENROLLED BILL*  
*-- Judiciary/Finance --*

Introduced by **Delegates Zirkin, Vallario, Montague, Hutchins, Giannetti,  
Cole, Grosfeld, Carlson, Morhaim, Barkley, and Finifter**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Department of Juvenile Justice - Summer Opportunity Pilot Program -**  
3 **Establishment**

4 FOR the purpose of establishing the Summer Opportunity Pilot Program under the  
5 Department of Juvenile Justice in not more than a certain number of counties in  
6 the State selected by the Department; establishing the purpose of the Program;  
7 establishing a special nonlapsing Department of Juvenile Justice Summer  
8 Opportunity Pilot Program Fund to finance the Program; establishing a funding  
9 mechanism for the Fund; establishing procedures for holding moneys in the  
10 Fund; authorizing certain persons to develop a certain proposal; requiring a  
11 certain county board of education to review a certain proposal; authorizing a  
12 county board to alter a proposal and to forward a final proposal to the  
13 Department for approval; requiring the Department, in consultation with the  
14 State Board of Education, to review ~~certain proposals and select proposals based~~  
15 ~~on certain priorities~~ a final proposal of a county board; authorizing the  
16 Department to make certain recommendations and approve a final proposal of a

1 ~~county board for implementation~~; requiring the Department to distribute  
 2 certain funds for certain purposes to a county board under certain  
 3 circumstances; authorizing a county board to include certain curriculum or  
 4 activities in a proposal; requiring a county board to include a certain estimate in  
 5 a proposal; ~~requiring the Governor to include funds in the State budget to~~  
 6 ~~implement the Program~~ authorizing the Governor to make certain  
 7 appropriations for the Fund; providing that certain funding for the Program  
 8 may not supplant certain other existing funding; ~~requiring~~ authorizing the  
 9 Department to adopt certain regulations; defining certain terms; declaring the  
 10 intent of the General Assembly; providing for the termination of this Act; and  
 11 generally relating to the Summer Opportunity Pilot Program under the  
 12 Department of Juvenile Justice.

13 BY repealing and reenacting, with amendments,  
 14 Article 83C - Juvenile Justice  
 15 Section 2-111(b)  
 16 Annotated Code of Maryland  
 17 (1998 Replacement Volume and 2000 Supplement)

18 BY adding to  
 19 Article 83C - Juvenile Justice  
 20 Section 2-134  
 21 Annotated Code of Maryland  
 22 (1998 Replacement Volume and 2000 Supplement)

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

25 **Article 83C - Juvenile Justice**

26 2-111.

27 (b) The Department shall:

28 (1) [develop] DEVELOP programs for the predelinquent child whose  
 29 behavior tends to lead to contact with law enforcement agencies; AND

30 (2) ADMINISTER THE SUMMER OPPORTUNITY PILOT PROGRAM UNDER §  
 31 2-134 OF THIS TITLE.

32 2-134.

33 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
 34 INDICATED.

35 (2) "FUND" MEANS THE DEPARTMENT OF JUVENILE JUSTICE SUMMER  
 36 OPPORTUNITY PILOT PROGRAM FUND.

1 (3) "PROGRAM" MEANS THE DEPARTMENT OF JUVENILE JUSTICE  
2 SUMMER OPPORTUNITY PILOT PROGRAM.

3 (B) (1) THERE IS A DEPARTMENT OF JUVENILE JUSTICE SUMMER  
4 OPPORTUNITY PILOT PROGRAM IN NOT MORE THAN THREE COUNTIES IN THE STATE  
5 SELECTED BY THE DEPARTMENT.

6 (2) THE PURPOSE OF THE PROGRAM IS TO DEVELOP AND IMPLEMENT  
7 EDUCATIONAL CURRICULUM AND ACTIVITIES IN THE SUMMER MONTHS FOR THE  
8 ENRICHMENT OF CHILDREN IN THOSE COUNTIES SELECTED BY THE DEPARTMENT  
9 WHO ARE UNDER THE SUPERVISION OF THE DEPARTMENT ~~OR THE DEPARTMENT OF~~  
10 ~~HUMAN RESOURCES.~~

11 ~~(2)~~ (3) (I) THERE IS A DEPARTMENT OF JUVENILE JUSTICE SUMMER  
12 OPPORTUNITY PILOT PROGRAM FUND TO FINANCE THE PROGRAM.

13 (II) THE FUND IS A CONTINUING, NONLAPSING SPECIAL FUND, AND  
14 IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

15 ~~(H)~~ (III) THE FUND ~~SHALL~~ MAY CONSIST OF MONEYS THE  
16 GOVERNOR INCLUDES IN THE STATE BUDGET FOR THE FUND.

17 (IV) THE STATE TREASURER SHALL HOLD AND THE STATE  
18 COMPTROLLER SHALL ACCOUNT FOR THE FUND.

19 (V) THE FUND SHALL BE INVESTED AND REINVESTED AND ANY  
20 INVESTMENT EARNINGS SHALL BE PAID INTO THE FUND.

21 (C) (1) THE PROGRAM SHALL BE ADMINISTERED AS PROVIDED IN THIS  
22 SUBSECTION.

23 (2) (I) A GROUP HOME OPERATOR OR OTHER INTERESTED PARTY IN A  
24 COUNTY:

25 1. MAY DEVELOP A PROPOSAL FOR EDUCATIONAL  
26 CURRICULUM AND ACTIVITIES DURING THE SUMMER MONTHS USING FACULTY OF  
27 THE ~~LOCAL~~ COUNTY SCHOOL SYSTEM FOR CHILDREN IN THAT COUNTY WHO ARE  
28 UNDER THE SUPERVISION OF THE DEPARTMENT ~~OR THE DEPARTMENT OF HUMAN~~  
29 ~~RESOURCES;~~ AND

30 2. SHALL SUBMIT THE PROPOSAL TO THE ~~LOCAL~~ COUNTY  
31 BOARD OF EDUCATION FOR REVIEW.

32 (II) ~~A~~ THE COUNTY BOARD:

33 1. SHALL REVIEW THE PROPOSAL;

34 2. IN CONSULTATION WITH THE REQUESTING PARTY, MAY  
35 MAKE ANY CHANGES THAT IT DEEMS NECESSARY; AND

1                                    3.     FROM AMONG THE PROPOSALS SUBMITTED, MAY  
2 FORWARD ~~THE~~ A FINAL PROPOSAL TO THE DEPARTMENT FOR APPROVAL BY ~~AUGUST~~  
3 ~~15~~ JANUARY 15 OF EACH YEAR.

4                    (3)     THE DEPARTMENT:

5                    (I)     IN CONSULTATION WITH THE STATE BOARD OF EDUCATION,  
6 SHALL REVIEW A FINAL PROPOSAL SUBMITTED BY A COUNTY BOARD BY ~~OCTOBER 15~~  
7 MARCH 15 OF EACH YEAR;

8                    (II)    MAY MAKE RECOMMENDATIONS THAT IT CONSIDERS  
9 NECESSARY; AND

10                  (III)   ~~SHALL SELECT FINAL PROPOSALS FOR IMPLEMENTATION BY~~  
11 ~~NOVEMBER 15 OF EACH YEAR, GIVING PRIORITY TO FINAL PROPOSALS FOR DIVERSE~~  
12 ~~AREAS OF THE STATE~~ MAY APPROVE A FINAL PROPOSAL OF A COUNTY BOARD FOR  
13 IMPLEMENTATION IN THAT COUNTY.

14                  (4)    (I)     ~~AFTER IF~~ THE DEPARTMENT ~~SELECTS~~ APPROVES A FINAL  
15 PROPOSAL OF A COUNTY BOARD, THE DEPARTMENT SHALL DISTRIBUTE TO A THE  
16 COUNTY BOARD MONEYS FROM THE FUND TO COVER THE COST OF EXTENDING THE  
17 CONTRACTS OF PARTICIPATING TEACHERS TO IMPLEMENT AND OPERATE THE  
18 PROGRAM.

19                  (II)    MONEYS DISTRIBUTED FROM THE FUND BY THE DEPARTMENT  
20 MAY BE USED ONLY TO COVER THE COST OF EXTENDING THE CONTRACTS OF  
21 PARTICIPATING TEACHERS.

22                  (D)    (1)     A COUNTY BOARD MAY INCLUDE IN A FINAL PROPOSAL:

23                  (I)     CURRICULUM AND ACTIVITIES THAT ARE FOR THE BENEFIT OF  
24 CHILDREN IN ANY GRADE FROM KINDERGARTEN THROUGH GRADE 12 WHO ARE  
25 UNDER THE SUPERVISION OF THE DEPARTMENT ~~OR THE DEPARTMENT OF HUMAN~~  
26 ~~RESOURCES;~~

27                  (II)    CURRICULUM AND ACTIVITIES THAT USE SCHOOL FACILITIES,  
28 LIBRARIES, OR ANY OTHER FACILITIES AT A LOCATION DESCRIBED IN THE FINAL  
29 PROPOSAL;

30                  (III)   CURRICULUM AND ACTIVITIES THAT ARE IMPLEMENTED FOR A  
31 SCHOOL, FOR A GROUP OF SCHOOLS, ~~FOR A SCHOOL SYSTEM, OR COUNTYWIDE~~ OR  
32 FOR A COUNTY SCHOOL SYSTEM;

33                  (IV)   CURRICULUM AND ACTIVITIES THAT ARE COORDINATED WITH  
34 AN AFTER-SCHOOL OPPORTUNITY PROGRAM OPERATING UNDER ARTICLE 41, TITLE  
35 6, SUBTITLE 8 OF THE CODE;

36                  (V)    TUTORING IN SUBJECTS SPECIFIED IN THE FINAL PROPOSAL;  
37 OR

1 (VI) FIELD TRIPS TO LOCATIONS DESCRIBED IN THE FINAL  
2 PROPOSAL.

3 (2) A COUNTY BOARD SHALL INCLUDE IN A FINAL PROPOSAL THE  
4 ESTIMATED COST OF EXTENDING THE CONTRACTS OF PARTICIPATING TEACHERS.

5 (E) (1) FOR FISCAL YEAR ~~2003~~ 2002 AND EACH SUCCEEDING FISCAL YEAR,  
6 THE GOVERNOR ~~SHALL~~ MAY INCLUDE FUNDS IN THE STATE BUDGET TO ESTABLISH  
7 AND MAINTAIN THE PROGRAM AND THE FUND AND TO ACCOMPLISH THE PURPOSES  
8 OF THIS SECTION.

9 (2) APPROPRIATIONS MADE UNDER THIS SECTION FOR EXTENDING THE  
10 CONTRACTS OF PARTICIPATING TEACHERS MAY NOT BE USED TO SUPPLANT THE  
11 EXISTING STATE SHARE OF BASIC CURRENT EXPENSES UNDER § 5-202 OF THE  
12 EDUCATION ARTICLE.

13 (F) THE DEPARTMENT ~~SHALL~~ MAY ADOPT REGULATIONS TO:

14 (1) ESTABLISH CRITERIA FOR APPROVING A FINAL PROPOSAL;

15 (2) ADMINISTER THE FUND; AND

16 (3) IMPLEMENT THIS SECTION.

17 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the  
18 General Assembly that grants awarded under this Act be extended to counties to  
19 reflect the geographic, demographic, and cultural diversity of the State and that if  
20 Chapter \_\_\_\_\_ (H.B. 53) of the Acts of the General Assembly of 2001 is enacted, fiscal  
21 2002 grants awarded under this Act not be extended to the same counties receiving  
22 grants under the program created by Chapter \_\_\_\_\_ (H.B. 53) of the Acts of the General  
23 Assembly of 2001.

24 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take  
25 effect October 1, 2001. It shall remain effective for a period of 3 years and, at the end  
26 of September 30, 2004, with no further action required by the General Assembly, this  
27 Act shall be abrogated and of no further force and effect.