
By: **Delegates O'Donnell, Zirkin, Amedori, Gutierrez, Kelly, Morhaim,
Quinter, and Shank**

Introduced and read first time: February 7, 2003

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Juvenile Justice - Wilderness Pilot Program**

3 FOR the purpose of requiring the Department of Juvenile Justice, in cooperation with
4 the Department of Natural Resources, to establish a Wilderness Pilot Program
5 in the State; establishing a certain exception to the requirement that the
6 Department of Juvenile Justice place children in group homes that are operated
7 by a nonprofit or for-profit entity; requiring the Program to be operated by the
8 Department of Juvenile Justice and located in a State park; requiring the
9 Program, in cooperation with the State Department of Education, to provide
10 certain educational instruction; making certain provisions relating to education
11 applicable to the educational instruction provided by the Program; requiring the
12 Program to provide certain services; authorizing the Governor to include funds
13 in the State budget for the Program; authorizing the Department to adopt
14 certain regulations; defining a certain term; providing for the termination of this
15 Act; and generally relating to the Wilderness Pilot Program.

16 BY repealing and reenacting, with amendments,
17 Article 83C - Juvenile Justice
18 Section 2-120
19 Annotated Code of Maryland
20 (1998 Replacement Volume and 2002 Supplement)

21 BY adding to
22 Article 83C - Juvenile Justice
23 Section 2-120.1
24 Annotated Code of Maryland
25 (1998 Replacement Volume and 2002 Supplement)

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

1 **Article 83C - Juvenile Justice**

2 2-120.

3 (a) The Department shall provide for care, diagnosis, training, education, and
4 rehabilitation of children by placing them in group homes and institutions that,
5 EXCEPT AS PROVIDED IN § 2-120.1 OF THIS SUBTITLE, are operated by any nonprofit
6 or for-profit entity.

7 (b) (1) The Department shall reimburse these entities for the cost of these
8 services at appropriate monthly rates that the Department determines, as provided in
9 the State budget.

10 (2) The reimbursement rate may differ between homes and institutions
11 that provide intermediate services, as defined by the Department, and homes and
12 institutions that provide full services.

13 (c) The Department may not place a child in a group home or other residential
14 facility that is not operating in compliance with applicable State licensing laws.

15 2-120.1.

16 (A) IN THIS SECTION, "WILDERNESS PILOT PROGRAM" MEANS A PROGRAM FOR
17 A GROUP HOME IN WHICH THE FACILITY AND ACTIVITIES ARE RELATED TO NATURE
18 AS MUCH AS POSSIBLE, IN A SITE THAT IS LEFT ESSENTIALLY IN ITS NATURAL
19 STATE, AND WHERE LIVING AND PROGRAM QUARTERS AND ACTIVITIES ARE
20 INTEGRATED INTO THE NATURAL ENVIRONMENT.

21 (B) (1) THE DEPARTMENT, IN COOPERATION WITH THE DEPARTMENT OF
22 NATURAL RESOURCES, SHALL ESTABLISH AT LEAST ONE WILDERNESS PILOT
23 PROGRAM IN THE STATE.

24 (2) THE PROGRAM SHALL BE OPERATED BY THE DEPARTMENT AND
25 LOCATED IN A STATE PARK.

26 (C) (1) IN COOPERATION WITH THE STATE DEPARTMENT OF EDUCATION,
27 THE PROGRAM SHALL PROVIDE EDUCATIONAL INSTRUCTION THAT IS DESIGNED TO
28 MEET THE PARTICULAR NEEDS OF THE GROUP HOME POPULATION.

29 (2) THE EDUCATIONAL INSTRUCTION SHALL BE CONDUCTED ON SITE,
30 FOR 12 MONTHS OF THE YEAR, BY TEACHERS WHO HOLD A CERTIFICATE UNDER
31 TITLE 6, SUBTITLE 1 OF THE EDUCATION ARTICLE.

32 (3) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE
33 PROVISIONS OF DIVISION I AND DIVISION II OF THE EDUCATION ARTICLE SHALL
34 APPLY TO THE EDUCATIONAL INSTRUCTION PROVIDED BY THE PROGRAM
35 ESTABLISHED UNDER THIS SECTION.

36 (D) IN ADDITION TO THE EDUCATIONAL INSTRUCTION DESCRIBED IN
37 SUBSECTION (C) OF THIS SECTION, THE PROGRAM SHALL PROVIDE, AS NECESSARY:

1 (1) MEDICAL AND MENTAL HEALTH SERVICES; AND

2 (2) ALCOHOL AND DRUG ABUSE SERVICES.

3 (E) FOR FISCAL YEAR 2004 AND EACH SUCCEEDING FISCAL YEAR, THE
4 GOVERNOR MAY INCLUDE FUNDS IN THE STATE BUDGET FOR THE PROGRAM.

5 (F) THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT THE
6 PROVISIONS OF THIS SECTION.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2003. It shall remain effective for a period of 3 years and, at the end of
9 September 30, 2006, with no further action required by the General Assembly, this
10 Act shall be abrogated and of no further force and effect.