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By: **Delegates Marriott, Anderson, Benson, Bronrott, Cane, C. Davis, Franchot, Frush, Goodwin, Gutierrez, Healey, Hixson, Hubbard, Kaiser, King, Lee, Love, Menes, Paige, Petzold, Pugh, Ramirez, Sophocleus, F. Turner, V. Turner, and Zirkin**

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Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2006

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **At-Risk Youth ~~Delinquency~~ Prevention and Diversion Programs**

3 FOR the purpose of ~~establishing the Coordinating Council on At-Risk Youth~~  
 4 ~~Delinquency Prevention and Diversion Programs in the Governor's Office for~~  
 5 ~~Children; providing for the membership of the Coordinating Council; specifying~~  
 6 ~~that the Executive Director of the Governor's Office for Children is the chair of~~  
 7 ~~the Coordinating Council; requiring the Governor's Office for Children to~~  
 8 ~~provide staff support for the Coordinating Council; establishing the purposes~~  
 9 ~~and duties of the Coordinating Council~~ establishing an Advisory Council to the  
 10 Children's Cabinet; establishing the purpose of the Advisory Council; specifying  
 11 the requirements for at-risk ~~delinquency~~ prevention and diversion programs;  
 12 specifying the duties of a local management board; ~~specifying the duties of a~~  
 13 local ~~planning group~~; specifying the membership of a local planning group;  
 14 requiring the Governor to include providing that it is the intent of the General  
 15 Assembly that the Governor include a certain amount of money in the budget  
 16 each fiscal year to fund the at-risk youth ~~delinquency~~ prevention and diversion  
 17 programs; providing for other sources of funds that may be used to fulfill the  
 18 funding requirement; requiring the ~~Coordinating Council~~ Governor's Office for  
 19 Children to report to the General Assembly by a certain date each year; defining  
 20 certain terms; and generally relating to at-risk youth ~~delinquency~~ prevention  
 21 and diversion programs.

22 BY adding to

23 Article 41 - Governor - Executive and Administrative Departments

24 Section 2-501 through ~~2-504~~ 2-503, inclusive, to be under the new subtitle

1 "Subtitle 5. At-Risk Youth ~~Delinquency~~ Prevention and Diversion  
 2 Programs"  
 3 Annotated Code of Maryland  
 4 (2003 Replacement Volume and 2005 Supplement)

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

7 **Article 41 - Governor - Executive and Administrative Departments**

8 SUBTITLE 5. AT-RISK YOUTH ~~DELINQUENCY~~ PREVENTION AND DIVERSION  
 9 PROGRAMS.

10 2-501.

11 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
 12 INDICATED.

13 (B) "ADVISORY COUNCIL" MEANS THE ADVISORY COUNCIL TO THE  
 14 CHILDREN'S CABINET.

15 ~~(B)~~ (C) "AT-RISK YOUTH ~~DELINQUENCY~~ PREVENTION AND DIVERSION  
 16 PROGRAM" MEANS THE SERVICES PROVIDED TO SCHOOL-AGED YOUTHS AND THEIR  
 17 FAMILIES TO PREVENT OR DIVERT YOUTH FROM ENTERING THE JUVENILE  
 18 SERVICES SYSTEM AND TO HELP MAKE THEM READY FOR ADULTHOOD BY AGE 21.

19 ~~(C)~~ "COORDINATING COUNCIL" MEANS THE COORDINATING COUNCIL ON  
 20 AT RISK YOUTH ~~DELINQUENCY~~ PREVENTION AND DIVERSION PROGRAMS.

21 (D) "3-YEAR PLAN" MEANS THE 3-YEAR PLAN DEVELOPED BY THE  
 22 CHILDREN'S CABINET ESTABLISHING PRIORITIES AND STRATEGIES FOR THE  
 23 COORDINATED DELIVERY OF SERVICES FOR CHILDREN AND FAMILIES.

24 2-502.

25 (A) ~~THERE IS A COORDINATING~~ AN ADVISORY COUNCIL ON AT RISK YOUTH  
 26 DELINQUENCY PREVENTION AND DIVERSION PROGRAMS TO THE CHILDREN'S  
 27 CABINET.

28 ~~(B)~~ THE COORDINATING COUNCIL CONSISTS OF THE FOLLOWING MEMBERS:

29 (1) ~~THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE FOR~~  
 30 CHILDREN, OR ANY SUCCESSOR ENTITY OR SUCCESSOR AGENCY;

31 (2) ~~THE SECRETARY OF JUVENILE SERVICES, OR THE SECRETARY'S~~  
 32 DESIGNEE;

33 (3) ~~THE SECRETARY OF HUMAN RESOURCES, OR THE SECRETARY'S~~  
 34 DESIGNEE;

1           (4)     ~~THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE~~  
2 ~~SECRETARY'S DESIGNEE;~~

3           (5)     ~~THE STATE SUPERINTENDENT OF SCHOOLS, OR THE~~  
4 ~~SUPERINTENDENT'S DESIGNEE;~~

5           (6)     ~~THE EXECUTIVE DIRECTOR OF THE OFFICE OF CRIME CONTROL AND~~  
6 ~~PREVENTION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE; AND~~

7           (7)     ~~REPRESENTATIVES OF OTHER PUBLIC OR PRIVATE AGENCIES~~  
8 ~~WHOSE EXPERTISE IS NEEDED BY THE COORDINATING COUNCIL, AS APPOINTED BY~~  
9 ~~THE CHAIR.~~

10        (C)     ~~THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE FOR CHILDREN~~  
11 ~~SHALL BE THE CHAIR OF THE COORDINATING COUNCIL.~~

12        (D)     ~~THE GOVERNOR'S OFFICE FOR CHILDREN SHALL PROVIDE STAFF~~  
13 ~~SUPPORT FOR THE COORDINATING COUNCIL.~~

14        (E)     ~~THE PURPOSE OF THE COORDINATING COUNCIL IS TO:~~

15           (1)     ~~BUILD CAPACITY TO SERVE YOUTHS IN THEIR COMMUNITIES AND AT~~  
16 ~~HOME;~~

17           (2)     ~~REDUCE RELIANCE ON INSTITUTIONS AS THE PRIMARY MODE OF~~  
18 ~~INTERVENTION FOR AT-RISK YOUTH OFFENDERS;~~

19           (3)     ~~PROMOTE POSITIVE OUTCOMES FOR YOUTHS;~~

20           (4)     ~~FUND PRACTICES THAT PREVENT JUVENILE CRIME AND~~  
21 ~~DELINQUENCY; AND~~

22           (5)     ~~REDUCE DISPROPORTIONATE MINORITY CONFINEMENT.~~

23        (B)     THE PURPOSE OF THE ADVISORY COUNCIL IS TO MAKE  
24 RECOMMENDATIONS TO THE CHILDREN'S CABINET ON:

25           (1)     METHODS FOR MEETING THE POLICY AND PROGRAM GOALS OF THE  
26 STATE FOR INTEGRATED CHILDREN AND FAMILY PROGRAMS;

27           (2)     COORDINATING STATE PROGRAMS WITH PROGRAMS OPERATED BY  
28 LOCAL GOVERNMENTS, LOCAL MANAGEMENT BOARDS, AND PRIVATE GROUPS;

29           (3)     BUILDING CAPACITY TO SERVE YOUTHS IN THEIR COMMUNITIES  
30 AND AT HOME;

31           (4)     REDUCING RELIANCE ON INSTITUTIONS AS THE PRIMARY MODE OF  
32 INTERVENTION FOR AT-RISK YOUTH OFFENDERS;

33           (5)     PROMOTING POSITIVE OUTCOMES FOR YOUTHS;

1           (6)    FUNDING PRACTICES THAT PREVENT JUVENILE CRIMES AND  
2 DELINQUENCY; AND

3           (7)    REDUCING DISPROPORTIONATE MINORITY CONFINEMENT.

4    ~~(F)    THE COORDINATING COUNCIL SHALL SET STANDARDS FOR LOCAL~~  
5 ~~MANAGEMENT BOARDS IN:~~

6           ~~(1)    ASSESSING COMMUNITY NEED;~~

7           ~~(2)    DEVELOPING A REQUEST FOR PROPOSALS; AND~~

8           ~~(3)    AWARDING GRANTS TO SELECTED PROGRAMS.~~

9 2-503.

10    (A)    AN AT-RISK YOUTH ~~DELINQUENCY~~ PREVENTION AND DIVERSION  
11 PROGRAM MAY BE:

12           (1)    (I)    COMMUNITY-BASED;

13           ~~(2)~~   (II)   SCHOOL-BASED;

14           ~~(3)~~   (III)  NEIGHBORHOOD-BASED; OR

15           ~~(4)~~   (IV)  FAITH-BASED; ~~OR~~ AND

16           ~~(5)~~   (2)   NONRESIDENTIAL.

17    (B)    AT-RISK YOUTH ~~DELINQUENCY~~ PREVENTION AND DIVERSION PROGRAMS  
18 ~~FUNDED UNDER THIS SUBTITLE~~ SHALL BE COORDINATED, MONITORED, AND  
19 SUPPORTED BY LOCAL MANAGEMENT BOARDS.

20    (C)    (1)    A LOCAL MANAGEMENT BOARD SHALL APPLY TO THE  
21 ~~COORDINATING COUNCIL FOR LOCAL PROGRAM FUNDS~~ GOVERNOR'S OFFICE FOR  
22 CHILDREN FOR FUNDING FOR THE AT-RISK YOUTH PREVENTION AND DIVERSION  
23 PROGRAM.

24           (2)    BEFORE SUBMITTING AN APPLICATION TO THE ~~COORDINATING~~  
25 ~~COUNCIL~~ GOVERNOR'S OFFICE FOR CHILDREN, THE LOCAL MANAGEMENT BOARD  
26 SHALL ~~CONVENE~~ DEMONSTRATE THAT THE LOCAL MANAGEMENT BOARD HAS  
27 CONVENED A LOCAL PLANNING GROUP CONSISTING OF REPRESENTATIVES OF  
28 AGENCIES WHO HAVE EXPERIENCE WORKING WITH AT-RISK YOUTHS AND THEIR  
29 FAMILIES, PARENTS, AND YOUTHS.

30           (3)    THE LOCAL ~~PLANNING GROUP~~ MANAGEMENT BOARD SHALL, AS  
31 PART OF THE PREVENTION ELEMENT OF THE 3-YEAR PLAN:

32                   (I)    ASSESS ADEQUACY, AVAILABILITY, AND ACCESSIBILITY OF  
33 CURRENT COMMUNITY-BASED SERVICES THAT:



1           (1)     ~~FEDERAL FUNDS FROM THE TEMPORARY ASSISTANCE FOR NEEDY~~  
2 ~~FAMILIES BLOCK GRANT;~~

3           (2)     ~~FEDERAL FUNDS FROM THE OFFICE OF JUVENILE JUSTICE~~  
4 ~~DELINQUENCY PREVENTION;~~

5           (3)     ~~FEDERAL FUNDS FROM TITLE I PROGRAMS FOR NEGLECTED OR~~  
6 ~~DELINQUENT CHILDREN;~~

7           (4)     ~~BLOCK GRANTS FOR PREVENTION AND TREATMENT OF SUBSTANCE~~  
8 ~~ABUSE;~~

9           (5)     ~~GENERAL FUNDS; OR~~

10          (6)     ~~PRIVATE RESOURCES.~~

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

12           (1)     it is the intent of the General Assembly that the Governor shall  
13 include at least \$10,000,000 in the fiscal year 2008 State budget and, in the State  
14 budget for each fiscal year thereafter, shall include sufficient funds to maintain  
15 support for the programs implemented under this Act; and

16           (2)     federal funds, general funds, and private resources may be used to  
17 meet the funding specified in this section.

18         ~~SECTION 2-3.~~ AND BE IT FURTHER ENACTED, That the ~~Coordinating~~  
19 ~~Council~~ Governor's Office for Children shall report to the General Assembly on or  
20 before December 31 of each year, in accordance with § 2-1246 of the State  
21 Government Article, on the implementation and effectiveness of at-risk youth  
22 ~~delinquency~~ prevention and diversion programs.

23         ~~SECTION 3-4.~~ AND BE IT FURTHER ENACTED, That this Act shall take  
24 effect October 1, 2006.