

# SENATE BILL 176

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By: **Senator Zirkin**

Introduced and read first time: January 26, 2007

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Juveniles – Summer Opportunity Pilot Program – Funding and Sunset**  
3 **Extension**

4 FOR the purpose of requiring that, beginning in a certain fiscal year, the Governor  
5 include certain funding in the State budget to establish and maintain the  
6 Department of Juvenile Services Summer Opportunity Pilot Program and the  
7 Department of Juvenile Services Summer Opportunity Pilot Program Fund and  
8 for certain other purposes; extending the termination date of the Program; and  
9 generally relating to the Department of Juvenile Services Summer Opportunity  
10 Pilot Program.

11 BY repealing and reenacting, with amendments,  
12 Article 83C – Juvenile Services  
13 Section 2–134  
14 Annotated Code of Maryland  
15 (2003 Replacement Volume and 2006 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Chapter 691 of the Acts of the General Assembly of 2001, as amended by  
18 Chapter 164 of the Acts of the General Assembly of 2003  
19 Section 3

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

22 **Article 83C – Juvenile Services**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 2-134.

2 (a) (1) In this section the following words have the meanings indicated.

3 (2) "Fund" means the Department of Juvenile Services Summer  
4 Opportunity Pilot Program Fund.

5 (3) "Program" means the Department of Juvenile Services Summer  
6 Opportunity Pilot Program.

7 (b) (1) There is a Department of Juvenile Services Summer Opportunity  
8 Pilot Program.

9 (2) The purpose of the Program is to develop and implement  
10 educational curriculum and activities in the summer months for the enrichment of  
11 children who are under the supervision of the Department.

12 (3) (i) There is a Department of Juvenile Services Summer  
13 Opportunity Pilot Program Fund to finance the Program.

14 (ii) The Fund is a continuing, nonlapsing special fund, and is  
15 not subject to § 7-302 of the State Finance and Procurement Article.

16 (iii) The Fund consists of:

17 1. Money appropriated in the State budget to the Fund;  
18 and

19 2. Money from any other source accepted for the benefit  
20 of the Fund.

21 (iv) The State Treasurer shall hold and the State Comptroller  
22 shall account for the Fund.

23 (v) The Fund shall be invested and reinvested and any  
24 investment earnings shall be paid into the Fund.

25 (c) (1) The Program shall be administered as provided in this subsection.

26 (2) (i) A group home operator or other interested party in a county:

1                   1.     May develop a proposal for educational curriculum  
2 and activities during the summer months using faculty of the county school system for  
3 children in that county who are under the supervision of the Department; and

4                   2.     Shall submit the proposal to the county board of  
5 education for review.

6                   (ii)    The county board:

7                   1.     Shall review the proposal;

8                   2.     In consultation with the requesting party, may make  
9 any changes that it deems necessary; and

10                  3.     From among the proposals submitted, may forward a  
11 final proposal to the Department for approval by January 15 of each year.

12                  (3)    The Department:

13                  (i)    In consultation with the State Board of Education, shall  
14 review a final proposal submitted by a county board by March 15 of each year;

15                  (ii)   May make recommendations that it considers necessary;  
16 and

17                  (iii) May approve a final proposal of a county board for  
18 implementation in that county.

19                  (4)   (i)    If the Department approves a final proposal of a county  
20 board, the Department shall distribute to the county board moneys from the Fund to  
21 cover the cost of extending the contracts of participating teachers to implement and  
22 operate the Program.

23                  (ii)   Moneys distributed from the Fund by the Department may  
24 be used only to cover the cost of extending the contracts of participating teachers.

25                  (d)   (1)   A county board may include in a final proposal:

26                  (i)    Curriculum and activities that are for the benefit of children  
27 in any grade from kindergarten through grade 12 who are under the supervision of the  
28 Department;

1 (ii) Curriculum and activities that use school facilities, libraries,  
2 or any other facilities at a location described in the final proposal;

3 (iii) Curriculum and activities that are implemented for a school,  
4 for a group of schools, or for a county school system;

5 (iv) Curriculum and activities that are coordinated with an  
6 after-school opportunity program operating under Article 41, Title 6, Subtitle 8 of the  
7 Code;

8 (v) Tutoring in subjects specified in the final proposal; or

9 (vi) Field trips to locations described in the final proposal.

10 (2) A county board shall include in a final proposal the estimated cost  
11 of extending the contracts of participating teachers.

12 (e) (1) (I) For fiscal year 2004 [and each succeeding fiscal year]  
13 **THROUGH FISCAL YEAR 2008**, the Governor may include funds in the State budget  
14 to establish and maintain the Program and the Fund and to accomplish the purposes  
15 of this section.

16 (II) **FOR FISCAL YEAR 2009 AND EACH SUCCEEDING FISCAL**  
17 **YEAR, THE GOVERNOR SHALL INCLUDE FUNDS IN THE STATE BUDGET OF NOT**  
18 **LESS THAN \$500,000 TO ESTABLISH AND MAINTAIN THE PROGRAM AND THE**  
19 **FUND AND TO ACCOMPLISH THE PURPOSES OF THIS SECTION.**

20 (2) Appropriations made under this section for extending the contracts  
21 of participating teachers may not be used to supplant the existing State share of the  
22 foundation program under § 5-202 of the Education Article.

23 (f) The Department may adopt regulations to:

24 (1) Establish criteria for approving a final proposal;

25 (2) Administer the Fund; and

26 (3) Implement this section.

27 **Chapter 691 of the Acts of 2001, as amended by Chapter 164 of the Acts of**  
28 **2003**

1           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2001. It shall remain effective for a period of [7] **12** years and 8 months  
3   and, at the end of May 30, [2008] **2013**, with no further action required by the  
4   General Assembly, this Act shall be abrogated and of no further force and effect.

5           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6   October 1, 2007.