

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2005.

May 20, 2005

The Honorable Michael E. Busch  
Speaker of the House  
State House  
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 405 – *Department of Juvenile Services – Youth Service Bureaus – Predelinquent Diversion Services*.

House Bill 405 requires one member of the State Advisory Board for the Department of Juvenile Services to be a representative of a Youth Services Bureau (YSB); the Department to promote greater utilization of YSBs and encourage local governments to use services provided by YSBs; and that the Department provide technical assistance to YSBs to identify alternative funding sources. While my Administration recognizes and appreciates the fine work done by YSBs since the 1970s, individual Bureaus exist in only seven counties and only one Bureau serves the Tri-County area of Southern Maryland.

My Administration has made programmatic and budgetary commitments for services designed to divert youth from the juvenile justice system, and I believe this legislation places the sole focus for such diversion efforts at the local level on YSBs to the exclusion and detriment of similar effective programs operating in local jurisdictions through service providers other than YSBs.

I also recognize and value the wide range of diversion services offered in the remaining 14 subdivisions through systems other than YSBs. In my view, it is unfair to those jurisdictions if YSBs are singled out for a position on the State Advisory Board. There is already a provision for seven individuals from the general public to serve on the State Advisory Board, and every effort is made to ensure the widest possible representation of interests and views. Likewise, the provisions of House Bill 405 that direct greater utilization of YSBs and State encouragement for local governments to use YSBs may be inconsistent with a subdivision's decision to provide diversion services through a different system. Additionally, it must be remembered that YSBs are vendors for programs funded through State appropriations. The State should avoid taking any action that might appear to favor one vendor over any other in connection with determining the most effective and efficient use of State funds.

The Department of Juvenile Services and its State Advisory Board will continue to assess existing diversion programs and work to develop new or improved prevention and intervention efforts that will help at-risk youths to avoid the juvenile justice system. I encourage the General Assembly to assist in these efforts through its designated members on the State Advisory Board.

For the above stated reasons, I have vetoed House Bill 405.