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**By: Senators Young, Blount, Pica, and McFadden**

Introduced and read first time: February 2, 1996

Assigned to: Finance and Budget and Taxation

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A BILL ENTITLED

1 AN ACT concerning

2 **Office for Children, Youth, and Families - Children First Commission**

3 FOR the purpose of establishing the Children First Commission in the Office for  
4 Children, Youth, and Families; establishing the membership of the Commission;  
5 specifying the terms and reimbursement of members of the Commission; specifying  
6 the terms of the initial members of the Commission; specifying the duties of the  
7 Commission; requiring the Commission to adopt certain regulations; requiring the  
8 Governor to provide certain funding; requiring the annual budget of the Office for  
9 Children, Youth, and Families to include certain funds; requiring the Commission  
10 to prepare certain budgets; establishing the Children First Fund in the Office for  
11 Children, Youth, and Families; specifying that the Fund must consist of certain  
12 funds; providing for the administration of the Fund and the awarding of certain  
13 grants; prohibiting certain persons from making certain false statements;  
14 establishing certain penalties; requiring the Commission to make certain reports;  
15 authorizing the establishment of Advisory Children First Commissions; and  
16 generally relating to the establishment of the Children First Commission in the  
17 Office for Children, Youth, and Families.

18 BY adding to

19 Article 49D - Office for Children, Youth, and Families  
20 Section 39  
21 Annotated Code of Maryland  
22 (1994 Replacement Volume and 1995 Supplement)

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

25 **Article 49D - Office for Children, Youth, and Families**

26 39.

27 (A) (1) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
28 INDICATED.

29 (2) "COMMISSION" MEANS THE CHILDREN FIRST COMMISSION.

30 (3) "FUND" MEANS THE CHILDREN FIRST FUND.

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1 (4) "OFFICE" MEANS THE OFFICE FOR CHILDREN, YOUTH, AND  
2 FAMILIES.

3 (B) THERE IS A CHILDREN FIRST COMMISSION IN THE OFFICE FOR CHILDREN,  
4 YOUTH, AND FAMILIES.

5 (C) (1) THE COMMISSION CONSISTS OF 15 MEMBERS.

6 (2) OF THE 15 MEMBERS:

7 (I) ELEVEN SHALL BE APPOINTED BY THE GOVERNOR AND SHALL  
8 BE REPRESENTATIVE OF SCHOOLS, RECREATIONAL FACILITIES, LIBRARIES,  
9 NEIGHBORHOOD ASSOCIATIONS, PLACES OF WORSHIP, AND PARENT GROUPS;

10 (II) TWO SHALL BE APPOINTED BY THE PRESIDENT OF THE  
11 SENATE; AND

12 (III) TWO SHALL BE APPOINTED BY THE SPEAKER OF THE HOUSE  
13 OF DELEGATES.

14 (D) (1) THE TERM OF A MEMBER IS 3 YEARS.

15 (2) THE TERMS OF THE MEMBERS ARE STAGGERED AS REQUIRED BY  
16 THE TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON OCTOBER 1, 1996.

17 (3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A  
18 SUCCESSOR IS APPOINTED AND QUALIFIES.

19 (4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES  
20 ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND  
21 QUALIFIES.

22 (E) EACH YEAR, THE COMMISSION:

23 (1) SHALL ELECT A CHAIRMAN FROM AMONG THE MEMBERS OF THE  
24 COMMISSION; AND

25 (2) DETERMINE THE TIMES AND PLACES OF THE MEETINGS OF THE  
26 COMMISSION.

27 (F) THE MEMBERS OF THE COMMISSION MAY NOT RECEIVE A SALARY BUT  
28 ARE ENTITLED TO REIMBURSEMENT FOR EXPENSES IN ACCORDANCE WITH THE  
29 STANDARD STATE TRAVEL REGULATIONS.

30 (G) THE OFFICE SHALL PROVIDE STAFF ASSISTANCE TO THE COMMISSION.

31 (H) THE COMMISSION SHALL ADOPT REGULATIONS TO IMPLEMENT THE  
32 PROVISIONS OF THIS SECTION.

33 (I) THE COMMISSION SHALL:

34 (1) MAKE RECOMMENDATIONS ON HOW TO ESTABLISH PARTNERSHIPS  
35 IN NEIGHBORHOODS BETWEEN SCHOOLS, RECREATIONAL FACILITIES, LIBRARIES,  
36 NEIGHBORHOOD ASSOCIATIONS, PLACES OF WORSHIP, AND PARENT  
37 ORGANIZATIONS TO PROMOTE THE WELL-BEING OF CHILDREN AND ADOLESCENTS;

1 (2) MAKE RECOMMENDATIONS ON HOW TO ESTABLISH CONSTRUCTIVE  
2 EDUCATIONAL AND RECREATIONAL BEFORE AND AFTER SCHOOL ACTIVITIES FOR  
3 CHILDREN AND ADOLESCENTS THROUGH PARTNERSHIPS WITH SCHOOLS,  
4 RECREATIONAL FACILITIES, LIBRARIES, NEIGHBORHOOD ASSOCIATIONS, PLACES  
5 OF WORSHIP, AND PARENT ORGANIZATIONS;

6 (3) IDENTIFY PROGRAMS THAT SEEK TO ENSURE THAT CHILDREN AND  
7 ADOLESCENTS COME TO SCHOOL READY TO LEARN, ACQUIRE THE SKILLS NEEDED  
8 TO SUCCEED IN SCHOOL, GRADUATE FROM HIGH SCHOOL QUALIFIED FOR HIGHER  
9 EDUCATION OR FOR SKILLED AND PRODUCTIVE WORK, AND ARE PREPARED TO  
10 PARTICIPATE IN THE SOCIAL AND POLITICAL LIFE OF THE COMMUNITY; AND

11 (4) RECOMMEND EDUCATIONAL AND RECREATIONAL ACTIVITIES  
12 THAT WILL HELP TO ELIMINATE BARRIERS TO LEARNING, INCLUDING LOW  
13 SELF-ESTEEM AND NEGATIVE PEER PRESSURE.

14 (J) THE COMMISSION SHALL SUBMIT AN ANNUAL REPORT TO THE  
15 GOVERNOR ON OR BEFORE DECEMBER 31 OF EACH YEAR THAT:

16 (1) DESCRIBES THE ACTIVITIES OF THE COMMISSION DURING THE  
17 PRECEDING FISCAL YEAR;

18 (2) CONTAINS THE FINDINGS OF THE COMMISSION IN ACCORDANCE  
19 WITH SUBSECTION (I) OF THIS SECTION; AND

20 (3) RECOMMENDS LEGISLATION, ADMINISTRATIVE ACTIONS, AND  
21 OTHER METHODS TO REVITALIZE, PROMOTE, AND STRENGTHEN RELATIONSHIPS  
22 BETWEEN SCHOOLS, RECREATIONAL FACILITIES, LIBRARIES, NEIGHBORHOOD  
23 ASSOCIATIONS, PLACES OF WORSHIP, AND PARENT GROUPS.

24 (K) (1) THIS SUBSECTION MAY NOT BE CONSTRUED TO RESTRICT THE  
25 BUDGETARY POWER OF THE GENERAL ASSEMBLY.

26 (2) THE GOVERNOR SHALL INCLUDE AN AMOUNT NOT LESS THAN  
27 \$25,000,000 IN THE FISCAL YEAR 1998 BUDGET AS AN APPROPRIATION FOR THE  
28 COMMISSION TO BE USED FOR THE AWARDING OF GRANTS AS PROVIDED IN  
29 SUBSECTION (K) OF THIS SECTION.

30 (3) IN AND AFTER FISCAL YEAR 1999, THE COMMISSION SHALL PREPARE  
31 A BUDGET FOR SUBMISSION TO THE GOVERNOR WITH DUE REGARD TO THE  
32 DICTATES OF PRACTICALITY AND THE FISCAL CONDITION OF THE STATE.

33 (4) THE COMMISSION IS SUBJECT TO AN AUDIT BY THE OFFICE OF THE  
34 LEGISLATIVE AUDITOR IN ACCORDANCE WITH §§ 2-1212 THROUGH 2-1222 OF THE  
35 STATE GOVERNMENT ARTICLE.

36 (L) (1) THERE IS A CHILDREN FIRST FUND IN THE OFFICE FOR CHILDREN,  
37 YOUTH, AND FAMILIES.

38 (2) THE FUND SHALL CONSIST OF MONEYS DESIGNATED IN  
39 ACCORDANCE WITH SUBSECTION (K) OF THIS SECTION.

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1 (3) THE FUND MAY BE USED ONLY TO AWARD GRANTS AS PROVIDED IN  
2 SUBSECTION (M) OF THIS SECTION.

3 (4) (I) THE COMMISSION SHALL ADMINISTER THE FUND.

4 (II) FUNDS SHALL BE INCLUDED IN THE ANNUAL BUDGET OF THE  
5 OFFICE FOR THE COSTS OF ADMINISTERING THE FUND.

6 (5) ANY UNSPENT MONEYS REMAINING IN THE FUND AT THE END OF A  
7 FISCAL YEAR SHALL REMAIN IN THE FUND AND MAY NOT REVERT TO THE  
8 GENERAL FUND OF THE STATE.

9 (M) (1) THE COMMISSION SHALL ESTABLISH THE QUALIFICATIONS FOR  
10 GRANT APPLICANTS AND THE TERMS AND CONDITIONS FOR GRANTS.

11 (2) THE COMMISSION MAY MAKE A GRANT TO AN APPLICANT ONLY IF  
12 THE APPLICANT MEETS THE QUALIFICATIONS ESTABLISHED BY THE COMMISSION.

13 (3) TO APPLY FOR A GRANT, AN APPLICANT SHALL SUBMIT TO THE  
14 COMMISSION AN APPLICATION IN THE FORM THAT THE COMMISSION REQUIRES.

15 (4) THE APPLICATION SHALL INCLUDE:

16 (I) THE FUNDS AVAILABLE TO THE APPLICANT WITHOUT  
17 FINANCIAL ASSISTANCE FROM THE FUND;

18 (II) THE AMOUNT OF FINANCIAL ASSISTANCE SOUGHT FROM THE  
19 FUND; AND

20 (III) INFORMATION THAT RELATES TO THE FINANCIAL STATUS OF  
21 THE APPLICANT.

22 (5) IF THE COMMISSION DECIDES TO GRANT MONEY TO AN APPLICANT,  
23 THE COMMISSION SHALL PREPARE GRANT DOCUMENTS.

24 (N) A PERSON MAY NOT KNOWINGLY MAKE OR CAUSE TO BE MADE ANY  
25 FALSE STATEMENT OR REPORT, INCLUDING ANY UNDERSTATEMENT OR  
26 OVERSTATEMENT OF FINANCIAL CONDITION FOR A NEW GRANT OR AFFECTING A  
27 GRANT ALREADY MADE UNDER THIS SECTION:

28 (1) IN ANY APPLICATION OR IN ANY DOCUMENT FURNISHED TO THE  
29 COMMISSION;

30 (2) FOR THE PURPOSE OF INFLUENCING THE ACTION OF THE  
31 COMMISSION ON AN APPLICATION FOR FINANCIAL ASSISTANCE; OR

32 (3) FOR THE PURPOSE OF INFLUENCING ANY ACTION OF THE  
33 SECRETARY AFFECTING FINANCIAL ASSISTANCE WHETHER OR NOT SUCH  
34 ASSISTANCE MAY HAVE ALREADY BEEN EXTENDED.

35 (O) ANY PERSON OR ANY AIDER OR ABETTOR WHO VIOLATES ANY  
36 PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION  
37 IS SUBJECT TO A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT  
38 MORE THAN 5 YEARS OR BOTH.

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1 (P) (1) THE COMMISSION SHALL REPORT ON OR BEFORE JANUARY 15 OF  
2 EACH YEAR TO THE GOVERNOR, AND SUBJECT TO § 2-1312 OF THE STATE  
3 GOVERNMENT ARTICLE, TO THE BUDGET COMMITTEES OF THE GENERAL  
4 ASSEMBLY AND THE DEPARTMENT OF FISCAL SERVICES ON THE STATUS OF THE  
5 FUND.

6 (2) THE REPORT SHALL INCLUDE:

7 (I) THE TOTAL AMOUNTS OF FUNDS GENERATED;

8 (II) THE TOTAL AMOUNTS OF FUNDS EXPENDED;

9 (III) THE TOTAL AMOUNTS OF FUNDS COMMITTED;

10 (IV) THE TOTAL AMOUNTS OF FUNDS REMAINING;

11 (V) AN ESTIMATE OF THE NUMBER OF GRANTS TO BE MADE  
12 DURING THE NEXT FISCAL YEAR;

13 (VI) AN EVALUATION OF THE FUND'S EFFECTIVENESS; AND

14 (VII) PROJECTIONS ON THE FUTURE FUNDING NEEDS OF THE FUND.

15 (Q) (1) EACH COUNTY AND BALTIMORE CITY MAY ESTABLISH AN  
16 ADVISORY CHILDREN FIRST COMMISSION.

17 (2) AN ADVISORY CHILDREN FIRST COMMISSION SHALL:

18 (I) SERVE AS A LIAISON BETWEEN THE POLITICAL SUBDIVISION  
19 AND THE COMMISSION;

20 (II) ENCOURAGE THE PARTICIPATION OF LOCAL SCHOOLS,  
21 RECREATIONAL FACILITIES, LIBRARIES, NEIGHBORHOOD ASSOCIATIONS, PLACES  
22 OF WORSHIP, AND PARENT GROUPS IN THE ACTIVITIES OF THE COMMISSION; AND

23 (III) ESTABLISH PARTNERSHIPS IN NEIGHBORHOODS BETWEEN  
24 SCHOOLS, RECREATIONAL FACILITIES, LIBRARIES, NEIGHBORHOOD ASSOCIATIONS,  
25 PLACES OF WORSHIP, AND PARENT ORGANIZATIONS TO PROMOTE THE WELL-BEING  
26 OF CHILDREN AND ADOLESCENTS.

27 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial  
28 members of the Children First Commission shall expire as follows:

29 (1) 5 members in 1998;

30 (2) 5 members in 1999; and

31 (3) 5 members in 2000.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 October 1, 1996.