
By: **Delegates Hubbard, Owings, Oaks, D. Davis, Frush, Cane, Morhaim, Nathan-Pulliam, Stern, Sher, Klausmeier, Boutin, Mohorovic, Elliott, R. Baker, Pitkin, Grosfeld, Hubers, Benson, Marriott, Hill, Billings, Swain, Kagan, Rosso, Bobo, Pendergrass, Rosenberg, Fulton, Branch, Gladden, Dypski, Phillips, D'Amato, Conroy, Proctor, Howard, Shriver, and Petzold**

Introduced and read first time: January 31, 2000
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Children's Environmental Health and Protection Rights Act**

3 FOR the purpose of establishing a Children's Health and Environmental Protection
4 Advisory Council; establishing the membership of the Advisory Council;
5 specifying the terms of the members of the Advisory Council; authorizing the
6 Advisory Council to hire certain staff; specifying the purpose of this Act;
7 specifying the duties of the Advisory Council; requiring certain principal
8 departments of the Executive Branch of the State to submit certain information
9 to the Advisory Council before submitting a proposed regulation for the
10 Maryland Register; requiring that a certain notice of proposed regulations
11 include a statement of the estimated impact on the health of children; adding a
12 member to the Air Quality Control Advisory Council; requiring certain reports
13 by certain dates; and generally relating to children's environmental health and
14 protection.

15 BY adding to
16 Article - Health - General
17 Section 13-1001 through 13-1007, inclusive, to be under the new subtitle
18 "Subtitle 10. Children's Environmental Health"
19 Annotated Code of Maryland
20 (1994 Replacement Volume and 1999 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article - State Government
23 Section 10-110 and 10-112
24 Annotated Code of Maryland
25 (1999 Replacement Volume)

26 BY repealing and reenacting, with amendments,

1 Article - Environment
2 Section 2-202
3 Annotated Code of Maryland
4 (1996 Replacement Volume and 1999 Supplement)

5 BY repealing and reenacting, without amendments,
6 Article - Environment
7 Section 2-206
8 Annotated Code of Maryland
9 (1996 Replacement Volume and 1999 Supplement)

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

12 **Article - Health - General**

13 **SUBTITLE 10. CHILDREN'S ENVIRONMENTAL HEALTH.**

14 13-1001.

15 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
16 INDICATED.

17 (B) "ADVISORY COUNCIL" MEANS THE CHILDREN'S HEALTH AND
18 ENVIRONMENTAL PROTECTION ADVISORY COUNCIL.

19 (C) "ENVIRONMENTAL HAZARD" MEANS EXPOSURE TO HARMFUL CHEMICALS
20 AND POLLUTANTS SUCH AS LEAD, PESTICIDES, AIR POLLUTANTS, CONTAMINATED
21 DRINKING WATER, POLLUTED WATERS, TOXIC WASTE DUMPS, POLYCHLORINATED
22 BIPHENYLS, SECONDHAND TOBACCO SMOKE, INDUSTRIAL CHEMICALS, AND OTHER
23 CHEMICALS AND POLLUTANTS THAT MAY IMPACT CHILDREN'S HEALTH.

24 13-1002.

25 (A) THE GENERAL ASSEMBLY FINDS THAT:

26 (1) CHILDREN IN THE STATE FACE AN ARRAY OF PREVENTABLE
27 EXPOSURES TO ENVIRONMENTAL HAZARDS IN THEIR SCHOOLS, HOMES, AND
28 COMMUNITIES;

29 (2) CHILDREN ARE AT GREATER RISK THAN ADULTS FOR EXPOSURE TO
30 AND POSSIBLE ILLNESS FROM ENVIRONMENTAL HAZARDS BECAUSE CHILDREN:

31 (I) HAVE A DECREASED ABILITY TO DETOXYFY SUBSTANCES;

32 (II) HAVE A GREATER SENSITIVITY TO ENVIRONMENTAL HAZARDS
33 DURING THE STAGES OF DEVELOPMENT AND GROWTH AS A RESULT OF THEIR
34 IMMATURE BODY ORGANS AND TISSUES AND WEAKER IMMUNE SYSTEMS;

1 (III) HAVE DIFFERENT EXPOSURE BEHAVIOR PATTERNS, SUCH AS
2 HAND-TO-MOUTH BEHAVIOR, SPENDING A GREATER AMOUNT OF TIME OUTDOORS
3 NEAR HAZARDS, AND SPENDING MORE TIME ON THE FLOOR AND ON THE GROUND
4 WHERE CONTAMINANTS CAN CONCENTRATE; AND

5 (IV) INGEST A GREATER AMOUNT OF CONTAMINANTS DUE TO
6 THEIR EATING PROPORTIONATELY MORE FOOD, BREATHING PROPORTIONATELY
7 MORE AIR, AND DRINKING PROPORTIONATELY MORE FLUIDS THAN ADULTS;

8 (3) HIGHER RATES OF POVERTY ARE ONE OF THE FACTORS THAT PLACE
9 CHILDREN OF ETHNIC AND MINORITY COMMUNITIES AT DISPROPORTIONATE RISK
10 FOR ENVIRONMENTAL EXPOSURES, DUE TO INADEQUATE HOUSING, POOR
11 NUTRITION, AND LIMITED ACCESS TO HEALTH CARE; AND

12 (4) SOLUTIONS TO COMPLEX ENVIRONMENTAL HEALTH PROBLEMS
13 REQUIRE THE ONGOING COMMUNICATION, COLLABORATION, AND COOPERATION OF
14 AFFECTED COMMUNITIES AND MANY DISCIPLINES INCLUDING SCIENCE, MEDICINE,
15 PUBLIC HEALTH, ECONOMICS, PLANNING, LAW, AND POLICY.

16 (B) (1) THE GENERAL ASSEMBLY RECOGNIZES ITS RESPONSIBILITIES:

17 (I) TO ENABLE ALL CHILDREN TO GROW UP IN A SAFE AND
18 HEALTHY ENVIRONMENT; AND

19 (II) TO USE ITS RESOURCES TO ENSURE THAT EVERY CHILD IS
20 PROVIDED WITH AN ENVIRONMENTALLY SAFE AND HEALTHY LEARNING
21 ENVIRONMENT IN WHICH TO GROW, DEVELOP, AND MATURE INTO A PRODUCTIVE
22 AND HEALTHY ADULT.

23 (2) THE GENERAL ASSEMBLY SEEKS TO MEET THESE RESPONSIBILITIES
24 BY CREATING AN ADVISORY COUNCIL TO:

25 (I) IDENTIFY ENVIRONMENTAL HAZARDS THAT MAY AFFECT
26 CHILDREN; AND

27 (II) CREATE SOLUTIONS TO THOSE HAZARDS THROUGH
28 INTERDISCIPLINARY PROBLEM SOLVING AND COALITION BUILDING.

29 13-1003.

30 THERE IS A STATE CHILDREN'S HEALTH AND ENVIRONMENTAL PROTECTION
31 ADVISORY COUNCIL.

32 13-1004.

33 (A) (1) THE ADVISORY COUNCIL SHALL BE COMPOSED OF 15 MEMBERS AS
34 FOLLOWS:

35 (I) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY
36 THE PRESIDENT OF THE SENATE;

1 (II) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY
2 THE SPEAKER OF THE HOUSE;

3 (III) THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE
4 SECRETARY'S DESIGNEE;

5 (IV) THE SECRETARY OF THE ENVIRONMENT, OR THE SECRETARY'S
6 DESIGNEE;

7 (V) THE SECRETARY OF AGRICULTURE, OR THE SECRETARY'S
8 DESIGNEE;

9 (VI) THE SECRETARY OF NATURAL RESOURCES, OR THE
10 SECRETARY'S DESIGNEE;

11 (VII) THE SECRETARY OF EDUCATION, OR THE SECRETARY'S
12 DESIGNEE;

13 (VIII) THE SECRETARY OF HUMAN RESOURCES, OR THE SECRETARY'S
14 DESIGNEE;

15 (IX) THE SECRETARY OF HOUSING AND COMMUNITY
16 DEVELOPMENT, OR THE SECRETARY'S DESIGNEE;

17 (X) TWO LICENSED PEDIATRIC HEALTH CARE PROVIDERS WITH
18 EXPERTISE IN THE FIELD OF CHILDREN'S ENVIRONMENTAL HEALTH, APPOINTED BY
19 THE GOVERNOR;

20 (XI) ONE LICENSED SOCIAL WORKER WITH EXPERTISE IN THE
21 FIELD OF CHILDREN'S ENVIRONMENTAL HEALTH, APPOINTED BY THE GOVERNOR;

22 (XII) ONE PARENT OR GUARDIAN WHOSE CHILD HAS BEEN EXPOSED
23 TO ENVIRONMENTAL HEALTH HAZARDS INCLUDING LEAD PAINT OR PESTICIDES,
24 APPOINTED BY THE GOVERNOR;

25 (XIII) ONE PEDIATRIC ENVIRONMENTAL HEALTH RESEARCHER,
26 APPOINTED BY THE GOVERNOR; AND

27 (XIV) ONE ECONOMIST SKILLED IN MEASURING THE ECONOMIC
28 COSTS OF ILLNESS AND THE BENEFITS OF PREVENTION, APPOINTED BY THE
29 GOVERNOR.

30 (2) THE SECRETARY OF HEALTH AND MENTAL HYGIENE OR THE
31 SECRETARY'S DESIGNEE AND THE SECRETARY OF THE ENVIRONMENT OR THE
32 SECRETARY'S DESIGNEE SHALL SERVE AS COCHAIRS.

33 (B) (1) THE TERM OF A MEMBER IS 4 YEARS

34 (2) THE TERMS OF THE MEMBERS ARE STAGGERED AS REQUIRED BY
35 THE TERMS PROVIDED FOR MEMBERS OF THE ADVISORY COUNCIL ON OCTOBER 1,
36 2000.

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

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

6 13-1005.

7 (A) WITH THE APPROVAL OF THE GOVERNOR, THE ADVISORY COUNCIL SHALL
8 APPOINT AN EXECUTIVE DIRECTOR, WHO IS THE CHIEF ADMINISTRATIVE OFFICER
9 OF THE ADVISORY COUNCIL.

10 (B) THE EXECUTIVE DIRECTOR SERVES AT THE PLEASURE OF THE ADVISORY
11 COUNCIL.

12 (C) UNDER THE DIRECTION OF THE ADVISORY COUNCIL, THE EXECUTIVE
13 DIRECTOR SHALL PERFORM ANY DUTY OR FUNCTION THAT THE ADVISORY COUNCIL
14 REQUIRES.

15 (D) THE ADVISORY COUNCIL MAY DETERMINE THE APPROPRIATE JOB
16 CLASSIFICATION AND, SUBJECT TO THE STATE BUDGET, COMPENSATION FOR THE
17 EXECUTIVE DIRECTOR.

18 13-1006.

19 (A) A MAJORITY OF THE FULL AUTHORIZED MEMBERSHIP OF THE ADVISORY
20 COUNCIL IS A QUORUM.

21 (B) THE ADVISORY COUNCIL SHALL MEET AT LEAST SIX TIMES A YEAR, AT
22 THE TIMES AND PLACES THAT IT DETERMINES.

23 (C) EACH MEMBER OF THE ADVISORY COUNCIL IS ENTITLED TO:

24 (1) COMPENSATION IN ACCORDANCE WITH THE STATE BUDGET; AND

25 (2) REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE
26 TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

27 (D) (1) THE ADVISORY COUNCIL MAY EMPLOY A STAFF IN ACCORDANCE
28 WITH THE STATE BUDGET.

29 (2) THE ADVISORY COUNCIL MAY DETERMINE THE APPROPRIATE JOB
30 CLASSIFICATION AND, SUBJECT TO THE STATE BUDGET, COMPENSATION FOR STAFF.

31 13-1007.

32 THE ADVISORY COUNCIL SHALL:

33 (1) (I) REVIEW EXISTING RULES, REGULATIONS, AND STANDARDS TO
34 ENSURE THAT THE RULES, REGULATIONS, AND STANDARDS ADEQUATELY PROTECT

1 THE HEALTH OF CHILDREN BY TAKING INTO ACCOUNT THE SPECIAL
2 VULNERABILITY OF CHILDREN BECAUSE OF THEIR DEVELOPING PHYSIOLOGY, AND
3 BECAUSE THEIR EXPOSURES, BEHAVIORS, AND DIETS CAN DIFFER GREATLY FROM
4 THOSE OF ADULTS; AND

5 (II) RECOMMEND CHANGES TO THE PROMULGATING UNIT OF THE
6 RULE, REGULATION, OR STANDARD IF THE ADVISORY COUNCIL DETERMINES THAT
7 THE RULE, REGULATION, OR STANDARD DOES NOT ADEQUATELY PROTECT THE
8 HEALTH OF CHILDREN;

9 (2) (I) REVIEW AND COMMENT ON PROPOSED REGULATIONS
10 SUBMITTED TO THE ADVISORY COUNCIL IN ACCORDANCE WITH § 10-110 OF THE
11 STATE GOVERNMENT ARTICLE TO DETERMINE IF THE PROPOSED REGULATION:

12 1. ADEQUATELY PROTECTS THE HEALTH OF CHILDREN BY
13 TAKING INTO ACCOUNT THE SPECIAL VULNERABILITY OF CHILDREN BECAUSE OF
14 THEIR DEVELOPING PHYSIOLOGY, AND BECAUSE THEIR EXPOSURES, BEHAVIORS,
15 AND DIETS CAN DIFFER GREATLY FROM THOSE OF ADULTS;

16 2. IS CONSISTENT AND UNIFORM WITH THE CHILDREN'S
17 ENVIRONMENTAL HEALTH POLICIES, RULES, REGULATIONS, AND STANDARDS OF
18 OTHER STATE AGENCIES; AND

19 (II) RECOMMEND TO THE PROMULGATING UNIT MEASURES THAT
20 WOULD AVOID OR MINIMIZE ANY NEGATIVE IMPACT THAT THE PROPOSED
21 REGULATION MAY HAVE ON THE HEALTH OF CHILDREN;

22 (3) COMMENT ON ANY PROPOSED REGULATIONS THAT MAY BE
23 SUBMITTED BY ANY OTHER PRINCIPAL DEPARTMENT OF THE EXECUTIVE BRANCH,
24 AS ENUMERATED IN § 8-201 OF THE STATE GOVERNMENT ARTICLE, DURING THE
25 PUBLIC COMMENT PERIOD REQUIRED UNDER § 10-112(A)(3)(II) OF THE STATE
26 GOVERNMENT ARTICLE IF THE ADVISORY COUNCIL DETERMINES THAT THE
27 PROPOSED REGULATION WILL HAVE AN ADVERSE IMPACT ON CHILDREN'S HEALTH;

28 (4) GATHER AND DISSEMINATE INFORMATION TO THE PUBLIC,
29 INCLUDING THE RESEARCH AND MEDICAL COMMUNITIES, COMMUNITY-BASED
30 ORGANIZATIONS, SCHOOLS, AND STATE AGENCIES, ON HOW TO REDUCE, TREAT, AND
31 ELIMINATE CHILDREN'S EXPOSURES TO ENVIRONMENTAL HAZARDS TO FURTHER
32 THE PUBLIC'S UNDERSTANDING OF THE ENVIRONMENTAL HAZARDS THAT MAY
33 POTENTIALLY AFFECT CHILDREN;

34 (5) DEVELOP UNIFORM GUIDELINES FOR STATE AGENCIES TO FOLLOW
35 TO HELP REDUCE AND ELIMINATE CHILDREN'S EXPOSURE TO ENVIRONMENTAL
36 HAZARDS, ESPECIALLY IN AREAS REASONABLY ACCESSIBLE TO CHILDREN;

37 (6) CREATE AND PROMOTE EDUCATION PROGRAMS, IN PARTNERSHIP
38 WITH HEALTH AND ENVIRONMENTAL PROFESSIONALS, FOR PARENTS, GUARDIANS,
39 AND CAREGIVERS OF CHILDREN THAT INCLUDE INFORMATION ON:

1 (I) THE POTENTIAL HEALTH EFFECTS OF ENVIRONMENTAL
2 HAZARDS;

3 (II) PRACTICAL SUGGESTIONS ON HOW TO REDUCE CHILDREN'S
4 EXPOSURE TO ENVIRONMENTAL HAZARDS; AND

5 (III) ANY OTHER RELEVANT INFORMATION TO ASSIST PARENTS,
6 GUARDIANS, AND CAREGIVERS IN PROTECTING CHILDREN FROM ENVIRONMENTAL
7 HAZARDS;

8 (7) PROVIDE INPUT TO THE GENERAL ASSEMBLY ON LEGISLATION THAT
9 MAY IMPACT THE HEALTH OF CHILDREN; AND

10 (8) REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF
11 THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY ON OR BEFORE
12 DECEMBER 1, 2001 AND EACH DECEMBER 1 THEREAFTER DESCRIBING THE
13 ACTIVITIES OF THE CHILDREN'S HEALTH AND ENVIRONMENTAL PROTECTION
14 ADVISORY COUNCIL.

15 **Article - State Government**

16 10-110.

17 (a) This section does not apply to a regulation adopted under § 10-111(b) of
18 this subtitle.

19 (b) (1) THIS SUBSECTION APPLIES TO THE FOLLOWING UNITS:

20 (I) THE DEPARTMENT OF AGRICULTURE;

21 (II) THE DEPARTMENT OF THE ENVIRONMENT;

22 (III) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE;

23 (IV) THE DEPARTMENT OF HOUSING AND COMMUNITY
24 DEVELOPMENT;

25 (V) THE DEPARTMENT OF HUMAN RESOURCES;

26 (VI) THE DEPARTMENT OF NATURAL RESOURCES; AND

27 (VII) THE STATE BOARD OF EDUCATION.

28 (2) AT LEAST 30 DAYS BEFORE THE DATE A PROPOSED REGULATION IS
29 SUBMITTED TO THE MARYLAND REGISTER FOR PUBLICATION UNDER § 10-112 OF
30 THIS SUBTITLE, A UNIT LISTED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL
31 SUBMIT ITS PROPOSED REGULATION TO THE STATE CHILDREN'S HEALTH AND
32 ENVIRONMENTAL PROTECTION ADVISORY COUNCIL ESTABLISHED UNDER § 13-1003
33 OF THE HEALTH - GENERAL ARTICLE FOR REVIEW.

1 (C) At least 15 days before the date a proposed regulation is submitted to the
2 Maryland Register for publication under § 10-112 of this subtitle, the promulgating
3 unit shall submit the proposed regulation to the Committee.

4 [(c)] (D) (1) The Committee is not required to take any action with respect
5 to a proposed regulation submitted to it pursuant to subsection (b) of this section.

6 (2) Failure by the Committee to approve or disapprove the proposed
7 regulation during the period of preliminary review provided by subsection (b) of this
8 section may not be construed to mean that the Committee approves or disapproves
9 the proposed regulation.

10 (3) During the preliminary review period, the Committee may take any
11 action relating to the proposed regulation that the Committee is authorized to take
12 under §§ 10-111.1 and 10-112 of this subtitle.

13 [(d)] (E) Prior to the date specified in subsection (b) of this section, the
14 promulgating unit is encouraged to submit the proposed regulation to the Committee
15 and to consult with the Committee concerning the form and content of that
16 regulation.

17 10-112.

18 (a) (1) This subsection does not apply to the emergency adoption of a
19 regulation.

20 (2) To have a proposed regulation published in the Register, a unit shall
21 submit to the Administrator:

22 (i) 2 certified copies of the proposed regulation; and

23 (ii) a notice of the proposed adoption.

24 (3) The notice under this subsection shall:

25 (i) state the estimated economic impact of the proposed regulation
26 on:

27 1. the revenues and expenditures of units of the State
28 government and of local government units; and

29 2. groups such as consumer, industry, taxpayer, or trade
30 groups; [and]

31 (II) STATE THE ESTIMATED IMPACT THE PROPOSED REGULATION
32 MAY HAVE ON THE HEALTH OF CHILDREN; AND

33 [(ii)] (III) give persons an opportunity to comment before adoption of
34 the proposed regulation, by:

1 1. setting a date, time, and place for a public hearing at
2 which oral or written views and information may be submitted; or

3 2. giving a telephone number that a person may call to
4 comment and an address to which a person may send comments.

5 (4) (i) The estimated economic impact statement required under
6 paragraph (3)(i) of this subsection shall state whether the proposed regulation
7 imposes a mandate on a local government unit.

8 (ii) If the proposed regulation imposes a mandate, the fiscal impact
9 statement shall:

10 1. indicate whether the regulation is required to comply with
11 a federal statutory or regulatory mandate; and

12 2. include, in addition to the estimate under paragraph
13 (3)(i)1 of this subsection, the estimated effect on local property tax rates, if applicable,
14 and if the required data is available.

15 (5) The Administrator shall file the regulation with the Committee.

16 (b) As soon as the Committee approves emergency adoption of a regulation,
17 the Committee shall submit to the Administrator 2 certified copies of the regulation.

18 (c) If a regulation under this section amends or repeals an adopted regulation,
19 the text of the regulation under this section shall show the changes with the symbols
20 that the Administrator requires.

21 (d) Immediately after the Administrator receives the copies of a regulation
22 under this section, the Administrator shall:

23 (1) prepare 1 copy for publication; and

24 (2) send to the printer:

25 (i) the copy; and

26 (ii) any notice of the proposed adoption.

27 **Article - Environment**

28 2-202.

29 (a) (1) The Council consists of not more than 15 members appointed by the
30 Secretary.

31 (2) Of the Council members:

1 (i) 1 shall be appointed from a list of 3 qualified individuals who
2 are professional engineers licensed in this State, submitted to the Secretary by the
3 Baltimore section of the American Society of Mechanical Engineers;

4 (ii) 1 shall be appointed from a list of 3 qualified individuals
5 submitted to the Secretary by the Maryland section of the American Institute of
6 Chemical Engineers;

7 (iii) 2 shall be individuals who are employed in a manufacturing or
8 public utility business in this State, each appointed from a separate list of 3 qualified
9 individuals submitted to the Secretary by the Maryland Chamber of Commerce;

10 (iv) 1 shall be a physician;

11 (v) 1 shall be a member of the Regional Planning Council who is
12 recommended to the Secretary by the Regional Planning Council;

13 (vi) 1 shall be appointed from a list of 3 qualified individuals
14 submitted to the Secretary by the Maryland Association of Counties;

15 (vii) 4 shall be appointed 1 each from lists of 3 qualified individuals
16 submitted to the Secretary by:

17 1. The Chairman of the Board of Directors of the Council of
18 Governments of Metropolitan Washington;

19 2. The President of the Johns Hopkins University;

20 3. The President of the Maryland State-D.C. AFL-CIO; and

21 4. The Chancellor of the University System of Maryland;

22 [and]

23 (viii) 2 shall be public members who represent the community at
24 large[.]; AND

25 (IX) 1 SHALL BE A MEMBER OF THE CHILDREN'S HEALTH AND
26 ENVIRONMENTAL PROTECTION ADVISORY COUNCIL WHO HAS EXPERTISE IN
27 PEDIATRIC ENVIRONMENTAL HEALTH.

28 (3) In making appointments to the Council, the Secretary shall:

29 (i) Consider giving appropriate representation to the various
30 geographical areas of this State; and

31 (ii) Appoint at least 1 member who is engaged actively in farming
32 and knowledgeable in farm and rural pollutant problems.

33 (b) (1) The term of a member is 5 years.

1 (2) The terms of the members are staggered as required by the terms
2 provided for members of the Council on July 1, 1986.

3 (3) The member who represents the Regional Planning Council serves
4 only so long as the member remains on the Regional Planning Council.

5 (4) At the end of a term, a member continues to serve until a successor is
6 appointed and qualifies.

7 (5) A member who is appointed after a term has begun serves only for
8 the rest of the term and until a successor is appointed and qualifies.

9 2-206.

10 (a) Before the Department adopts any rule or regulation under this title, the
11 Department shall submit the proposed rule or regulation to the Council for advice.

12 (b) Within 30 days after receiving a proposed rule or regulation from the
13 Department, the Council shall give the Department its advice on the proposal by
14 recommending:

15 (1) Adoption;

16 (2) Rejection; or

17 (3) Modification.

18 SECTION 2. AND BE IT FURTHER ENACTED, That, within 6 months of the
19 effective date of this Act, the Children's Health and Environmental Protection
20 Advisory Council shall submit to the Governor and, in accordance with § 2-1246 of
21 the State Government Article, to the General Assembly a proposed work plan for
22 carrying out the requirements of this Act.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2000.