

HOUSE BILL 446

P1

6lr2700
CF SB 103

By: **Delegates West, Bromwell, Cullison, and Sample–Hughes**

Introduced and read first time: January 29, 2016

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 14, 2016

CHAPTER _____

1 AN ACT concerning

2 **State Government – Maryland Youth Advisory Council – Revisions**

3 FOR the purpose of altering the membership of the Maryland Youth Advisory Council;
4 specifying that the members must be residents of the State; altering the factors that
5 certain persons are required to consider in deciding which youths to nominate as
6 members of the Council; altering the term and term limit of a member; requiring
7 that a certain member represent the views of a certain public or private youth council
8 or youth empowerment organization before the Council; requiring the members to
9 elect a chair at a certain meeting; requiring the members of the Council to select a
10 certain executive board at a certain meeting; repealing the requirement that certain
11 individuals serve as cochairs; altering the duties that the Governor’s Office for
12 Children has in relation to the Council; altering the duties of the Council; requiring
13 the Council to meet at certain times and hold a certain number of public hearings
14 each Council year, rather than each year; specifying that the Council is required to
15 conduct one educational meeting each Council year; requiring the Council to report
16 its activities on or before the last day of the Council year, rather than the last day of
17 the youth members’ terms; specifying the terms of the members of the Council
18 appointed in a certain year; defining a certain term; making conforming changes;
19 and generally relating to the Maryland Youth Advisory Council.

20 BY repealing and reenacting, with amendments,
21 Article – State Government
22 Section 9–2701
23 Annotated Code of Maryland
24 (2014 Replacement Volume and 2015 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – State Government**

4 9–2701.

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

6 (2) “Council” means the Maryland Youth Advisory Council.

7 **(3) “COUNCIL YEAR” MEANS THE 12-MONTH PERIOD BEGINNING**
8 **SEPTEMBER 1 AND ENDING AUGUST 31.**

9 ~~[(3)]~~ **(4)** “High school student” means a youth who is enrolled in high
10 school, who is a home school student, or who is enrolled in a program that leads to a high
11 school diploma or certificate of attendance or a general equivalency diploma.

12 ~~[(4)]~~ **(5)** “Institution of postsecondary education” has the meaning stated
13 in § 10–101 of the Education Article.

14 ~~[(5)]~~ **(6)** “Public senior higher education institution” has the meaning
15 stated in § 10–101 of the Education Article.

16 ~~[(6)]~~ **(7)** “Youth” means an individual who is 14 to 22 years old.

17 (b) There is a Maryland Youth Advisory Council.

18 ~~[(c)]~~ **(1)** The Council consists of:

19 ~~[(1)]~~ **(I)** ~~the following members~~ **FOUR YOUTHS** appointed by the President of
20 the Senate:

21 ~~(i) six high school students, including at least three who are~~
22 ~~students in the State and who are enrolled in public high schools;~~

23 ~~(ii) two youths who are students at institutions of postsecondary~~
24 ~~education located in the State; and~~

25 ~~(iii) one member of the Senate;~~

26 ~~[(2)]~~ **(II)** ~~the following members~~ **FOUR YOUTHS** appointed by the Speaker of the
27 House of Delegates:

1 ~~(i) six high school students, including at least three who are~~
 2 ~~students in the State and who are enrolled in public high schools;~~

3 ~~(ii) two youths who are students at institutions of postsecondary~~
 4 ~~education located in the State; and~~

5 ~~(iii) one member of the House of Delegates;~~

6 ~~(3) (III) the following members~~ **FOUR YOUTHS** appointed by the Governor;

7 **AND**

8 ~~(i) twelve youths, including at least ten high school students, at~~
 9 ~~least five of whom shall be students in the State who are enrolled in public high schools;~~
 10 ~~and~~

11 ~~(ii) four youths who are students at institutions of postsecondary~~
 12 ~~education located in the State;~~

13 ~~(4) the following members selected by other youths, including:~~

14 ~~(i) fifteen high school students chosen by the Maryland Association~~
 15 ~~of Student Councils; and~~

16 ~~(ii) eight youths who are students at institutions of postsecondary~~
 17 ~~education located in the State, including:~~

18 ~~1. three members selected by the University System of~~
 19 ~~Maryland Student Council; and~~

20 ~~2. five members selected by the Student Advisory Council to~~
 21 ~~the Maryland Higher Education Commission, including:~~

22 ~~A. at least one member who is enrolled in a community~~
 23 ~~college;~~

24 ~~B. at least one member who is enrolled in a private college or~~
 25 ~~university; and~~

26 ~~C. at least one member who is enrolled in a public senior~~
 27 ~~higher education institution who is not otherwise represented on the Council; and~~

28 ~~(5) an executive board that consists of:~~

29 ~~(i) four members selected by the youth members appointed by the~~
 30 ~~President of the Senate and the Speaker of the House, including:~~

31 ~~1. three high school students; and~~

~~2. one student at an institution of postsecondary education;~~

~~(ii) four members selected by the youth members appointed by the Governor, including:~~

~~1. three high school students; and~~

~~2. one student at an institution of postsecondary education;~~
and

~~(iii) four members selected by the youth members chosen by other youth, including:~~

~~1. three high school students; and~~

~~2. one student at an institution of postsecondary education.]~~

~~(c) (1) THE COUNCIL CONSISTS OF (IV) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR'S OFFICE FOR CHILDREN:~~

~~(i) FOUR YOUTHS NOMINATED BY THE PRESIDENT OF THE SENATE;~~

~~(ii) FOUR YOUTHS NOMINATED BY THE SPEAKER OF THE HOUSE OF DELEGATES;~~

~~(iii) FOUR YOUTHS NOMINATED BY THE CHILDREN'S CABINET;~~

~~(iv) 1. FOUR YOUTHS NOMINATED BY THE LOCAL MANAGEMENT BOARDS ESTABLISHED UNDER § 8-301 OF THE HUMAN SERVICES ARTICLE;~~

~~(v) 2. FOUR YOUTHS NOMINATED BY THE MARYLAND ASSOCIATION OF STUDENT COUNCILS;~~

~~(vi) 3. TWO YOUTHS NOMINATED BY THE UNIVERSITY SYSTEM OF MARYLAND STUDENT COUNCIL; AND~~

~~(vii) 4. THE FOLLOWING YOUTHS NOMINATED BY THE STUDENT ADVISORY COUNCIL TO THE MARYLAND HIGHER EDUCATION COMMISSION:~~

~~1. A. ONE YOUTH WHO IS ENROLLED IN A COMMUNITY COLLEGE; AND~~

1 **~~2.~~ B. ONE YOUTH WHO IS ENROLLED IN A PRIVATE COLLEGE**
 2 **OR UNIVERSITY.**

3 **(2) THE MEMBERS OF THE COUNCIL MUST BE RESIDENTS OF THE**
 4 **STATE.**

5 (d) In deciding which [members] YOUTHS to ~~fa~~ppoint or [select] NOMINATE:

6 (1) the President of the Senate and the Speaker of the House shall, to the
 7 extent practicable, consider:

8 (i) the geographic and demographic diversity of the State;

9 (ii) diversity in education, including nontraditional settings such as
 10 vocational and tech-oriented education; [and]

11 (iii) youths with disabilities; AND

12 **(IV) YOUTHS WHO ARE INVOLVED IN ESTABLISHED PUBLIC AND**
 13 **PRIVATE YOUTH COUNCILS AND YOUTH EMPOWERMENT ORGANIZATIONS IN THE**
 14 **STATE, INCLUDING:**

15 **1. SERVICE LEARNING AND LEADERSHIP PROGRAMS;**

16 **2. TEEN COURT PROGRAMS;**

17 **3. FOSTER CARE;**

18 **4. STUDENT COUNCILS;**

19 **5. JUVENILE SERVICE PROGRAMS; AND**

20 **6. TRANSITIONAL PROGRAMS;**

21 (2) the ~~[Governor] CHILDREN'S CABINET~~ AND LOCAL MANAGEMENT
 22 **BOARDS** shall, to the extent practicable, consider:

23 (i) the geographic and demographic diversity of the State;

24 (ii) diversity in education, including nontraditional settings such as
 25 vocational and tech-oriented education;

26 (iii) youths with disabilities; [and]

1 (iv) transitional youths who are not in high school or an institution
2 of postsecondary education and not likely to attend an institution of postsecondary
3 education; and

4 (v) **YOUTHS WHO ARE INVOLVED IN ESTABLISHED PUBLIC AND
5 PRIVATE YOUTH COUNCILS AND YOUTH EMPOWERMENT ORGANIZATIONS IN THE
6 STATE, INCLUDING:**

7 1. **SERVICE LEARNING AND LEADERSHIP PROGRAMS;**

8 2. **TEEN COURT PROGRAMS;**

9 3. **FOSTER CARE;**

10 4. **STUDENT COUNCILS;**

11 5. **JUVENILE SERVICE PROGRAMS; AND**

12 6. **TRANSITIONAL PROGRAMS; AND**

13 (3) the Maryland Association of Student Councils shall consider youths
14 who are enrolled in schools represented by the Association as well as applicants who are
15 enrolled in schools that are not represented by the Association.

16 (e) (1) The term of a [youth] member of the Council is [1 year, from September
17 1 through August 30 of the following year] **2 COUNCIL YEARS.**

18 (2) A [youth] member who is appointed [or selected] after a term has begun
19 serves only for the rest of the term and until a successor is appointed [or selected] and
20 qualifies.

21 (3) A [youth] member may not serve more than [two consecutive terms]
22 **ONE TERM.**

23 [(4) The member from the Senate and the member from the House serve,
24 respectively, at the pleasure of the President of the Senate and the Speaker of the House.]

25 (4) **IF A MEMBER REPRESENTS AN ESTABLISHED PUBLIC OR PRIVATE
26 YOUTH COUNCIL OR YOUTH EMPOWERMENT ORGANIZATION IN THE STATE, THE
27 MEMBER SHALL REPRESENT THE VIEWS OF THE COUNCIL OR ORGANIZATION
28 BEFORE THE COUNCIL.**

29 (f) (1) At the first meeting of each [youth member term period] **COUNCIL
30 YEAR**, the [youth] members shall:

1 **(I)** elect [one of the youth members to serve as cochair] **A CHAIR** for
2 a term of 1 year; **AND**

3 **(II)** **SELECT AN EXECUTIVE BOARD THAT CONSISTS OF:**

4 **1.** **TWO MEMBERS WHO WERE ~~NOMINATED~~ APPOINTED**
5 **BY THE PRESIDENT OF THE SENATE OR THE SPEAKER OF THE HOUSE;**

6 **2.** **TWO MEMBERS WHO WERE ~~NOMINATED~~ APPOINTED**
7 **BY THE ~~CHILDREN'S CABINET~~ GOVERNOR OR NOMINATED BY THE LOCAL**
8 **MANAGEMENT BOARDS;**

9 **3.** **ONE MEMBER WHO WAS NOMINATED BY THE**
10 **MARYLAND ASSOCIATION OF STUDENT COUNCILS; AND**

11 **4.** **ONE MEMBER WHO WAS NOMINATED BY THE**
12 **UNIVERSITY SYSTEM OF MARYLAND STUDENT COUNCIL OR THE MARYLAND**
13 **HIGHER EDUCATION COMMISSION STUDENT ADVISORY COUNCIL.**

14 (2) [A representative of the Governor's Office for Children appointed by the
15 Governor, the member from the Senate, and the member from the House shall serve as
16 cochairs with the elected youth member cochair.

17 (3)] The Council may appoint any officers that it considers necessary.

18 [(4) The cochair appointed by the Governor shall, on behalf of the Governor,
19 the President of the Senate, and the Speaker of the House, develop an initial application
20 and application process, both of which the Council may change at its discretion.]

21 (g) The Governor's Office for Children[, in addition to the member from the
22 Senate, or the member from the House, or both,] shall:

23 **(1)** provide staff support for the Council;

24 **(2)** **DEVELOP, IN CONSULTATION WITH THE COUNCIL, AN INITIAL**
25 **APPLICATION AND APPLICATION PROCESS;**

26 **(3)** **WORK WITH ESTABLISHED PUBLIC OR PRIVATE YOUTH COUNCILS**
27 **OR YOUTH EMPOWERMENT ORGANIZATIONS IN THE STATE TO SELECT**
28 **REPRESENTATIVES TO APPLY TO BECOME A MEMBER OF THE COUNCIL;**

29 **(4)** **ENSURE THAT MEMBERS OF THE COUNCIL PROVIDE A BROAD**
30 **REPRESENTATION OF ALL JURISDICTIONS AND POPULATIONS;**

1 (xiii) educational accessibility issues for students with disabilities,
2 including access to:

- 3 1. schools;
- 4 2. school-related activities; and
- 5 3. classes;

6 (3) recommend one legislative proposal each legislative session concerning
7 an issue included in item (2) of this subsection for possible introduction; [and]

8 (4) conduct a public awareness campaign to raise awareness about the
9 Council among Maryland youth;

10 **(5) PARTICIPATE IN LOCAL YOUTH ACTIVITIES OR ORGANIZATIONS;**

11 **(6) ADVISE LOCAL OFFICIALS AND COMMUNITY LEADERS ON YOUTH**
12 **ISSUES; AND**

13 **(7) COLLECT INFORMATION FROM OTHER YOUTH GROUPS IN ORDER**
14 **TO INFORM THE ACTIVITIES OF THE COUNCIL.**

15 ~~[(i)]~~ ~~(j)~~ (1) The Council shall work with the State Department of Education
16 regarding the granting of school credit for Council service.

17 (2) The State Department of Education and the Maryland Higher
18 Education Commission shall notify the head administrators of all State high schools and of
19 all institutions of postsecondary education, respectively, of the creation of the Council so
20 that the administrators may inform their students.

21 (3) The State Department of Education shall allow up to four absences of a
22 [youth] member from school per school year to be categorized as lawful absences if the
23 absences were due to the business of the Council.

24 ~~[(j)]~~ ~~(k)~~ (1) The Council shall set priorities and determine:

- 25 (i) the function of subcommittees;
- 26 (ii) standards of conduct;
- 27 (iii) procedures; and

28 (iv) the use of technology to convene or conduct meetings or facilitate
29 communications among members.

1 (2) The Council shall review and consider whether the procedures and
2 rules used by the General Assembly would be appropriate for use as models for the Council.

3 ~~[(k)]~~ ~~(H)~~ The Council shall:

4 (1) meet at least four times each **COUNCIL** year and conduct one or two
5 public hearings each **COUNCIL** year on issues of importance to youth;

6 (2) conduct one educational meeting **EACH COUNCIL YEAR** concerning the
7 legislative process, to which the President of the Senate, the Speaker of the House, and the
8 Executive Director of the Department of Legislative Services, or their designees, shall be
9 invited to speak; and

10 (3) open all meetings to the public.

11 ~~[(l)]~~ ~~(M)~~ A member of the Council:

12 (1) may not receive compensation as a member of the Council; but

13 (2) is entitled to reimbursement for expenses under the Standard State
14 Travel Regulations, as provided in the State budget.

15 ~~[(m)]~~ ~~(N)~~ On or before the last day of the [youth members' terms] **COUNCIL**
16 **YEAR**, the Council shall report its activities to the Governor and, in accordance with §
17 2-1246 of this article, to the General Assembly.

18 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the members of
19 the Maryland Youth Advisory Council appointed in 2016 shall expire as follows:

20 (1) half of the members, as determined by the Governor's Office for
21 Children, on August 31, 2017; and

22 (2) the remaining half of the members on August 31, 2018.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
24 1, 2016.