

SENATE No. 2398

The Commonwealth of Massachusetts

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In the Year Two Thousand Fourteen
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SENATE, Monday, November 24, 2014

The committee on Ways and Means, to whom was referred the Senate establishing a commission on the status of children and youth (Senate, No. 2080),- reports, recommending that the same ought to pass with an amendment substituting a new draft of the same title (Senate, No. 2398).

For the committee,
Stephen M. Brewer

SENATE No. 2398

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In the Year Two Thousand Fourteen

An Act establishing a commission on the status of children and youth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 3 of the General Laws is hereby amended by adding the following
2 section:-

3 Section 71. (a) There shall be a permanent commission on the status of children and
4 youth to consist of 19 persons, 5 of whom shall be appointed by the governor, 4 of whom shall
5 be appointed by the speaker of the house of representatives, 4 of whom shall be appointed by the
6 president of the senate and 6 of whom shall be appointed by the student advisory council to the
7 board of education established in section 1E of chapter 15; provided, however, that not more
8 than 2 such persons shall be from the same regional student advisory council. Members of the
9 commission shall be drawn from diverse racial, ethnic, religious, sexual orientation and socio-
10 economic backgrounds; provided, however, that no member at the time of appointment or re-
11 appointment shall be older than 21 years of age. Members shall be subject to chapter 268A as it
12 applies to special state employees.

13 (b) Members shall serve terms of 3 years and until their successors are appointed. A
14 vacancy in the membership of the commission shall be filled by the original appointing authority

15 for the remainder of the unexpired term. Appointments shall be made in consultation with
16 organizations that focus on children and youth including, but not limited to, the Massachusetts
17 Boys State program, the Massachusetts Girls State program, the YMCA Youth in Government
18 program, the Massachusetts Student Government Day program, the Boys and Girls Clubs of
19 Massachusetts, Teens Leading the Way, the Children's League of Massachusetts, Massachusetts
20 Citizens for Children, Generation Citizen, the Massachusetts Service Alliance, City Year, the
21 Robert F. Kennedy Children's Action Corps and the Mass Mentoring Partnership. Terms of
22 office shall commence annually on October 1 and nominations for vacancies shall be solicited
23 annually between May 1 and June 16 of each year through an open application process using a
24 uniform application that is widely distributed throughout the state.

25 (c) The commission shall elect from among its members a chair, a vice chair, a treasurer
26 and any other officers it deems necessary.

27 (d) The members of the commission shall serve without compensation but shall be
28 reimbursed for any usual and customary expenses incurred in the performance of their duties.

29 (e) The commission shall conduct an ongoing study of all matters concerning children
30 and youth and shall be guided by the tenets of the United Nations Convention on the Rights of
31 the Child and the Declaration and Plan of Action for the survival, development and protection of
32 children and youth adopted by the World Summit on Children in 1990. In furtherance of that
33 responsibility, the commission shall: (i) study, review and report on the status of children and
34 youth in the commonwealth; (ii) inform leaders of business, education, health care, state and
35 local governments and the communications media of issues pertaining to children and youth; (iii)
36 serve as a liaison between government and private interest groups concerned with issues

37 affecting children and youth; (iv) serve as a clearinghouse for information on issues pertaining to
38 children and youth; (v) identify and recommend qualified youth for appointive positions at all
39 levels of government, including boards and commissions, as the commission deems necessary
40 and appropriate; (vi) assess programs and practices in all state agencies as they affect children
41 and youth, as the commission deems necessary and appropriate; (vii) advise executive and
42 legislative bodies on the effect on children and youth of proposed legislation, as the commission
43 deems necessary and appropriate; (viii) promote and facilitate collaboration among local youth
44 commissions and youth organizations, as the commission deems necessary and appropriate; (ix)
45 organize programs to celebrate the positive contributions of children and youth including, but not
46 limited to, the observance of Youth Honor Day established in section 15G of chapter 6 and the
47 observance of Youth in Government Day established in section 15WW of said chapter 6; (x)
48 establish a commonwealth award for exemplary community service which shall be presented to a
49 graduating senior in each high school in cooperation with Massachusetts Secondary School
50 Administrators' Association; and (xi) encourage programs that enhance the civic knowledge and
51 engagement of youth in the democratic process with the goal of producing active and engaged
52 citizens. The commission shall annually, not later than June 2, report the results of its findings
53 and activities of the preceding year and its recommendations to the governor and to the clerks of
54 the senate and the house of representatives.

55 (f) The commission may: (i) use such voluntary and uncompensated services of private
56 individuals, agencies and organizations as may from time to time be offered and needed; (ii)
57 recommend policies and make recommendations to agencies and officers of state and local
58 governments to effectuate the purposes of subsection (e); (iii) select an executive director and
59 acquire adequate staff to perform its duties, subject to appropriation; (iv) establish and maintain

60 such offices as it deems necessary, subject to appropriation; (v) enact by-laws for its own
61 governance; (vi) hold regular, public meetings and fact-finding hearings and other public forums
62 as it may consider necessary; (vii) exercise such other powers as it deems necessary to perform
63 its duties.

64 (g) The commission shall meet monthly, except for the months of July and August, at the
65 members' discretion. The governor, speaker of the house of representatives, president of the
66 senate and designated members of the senate and house of representatives shall be invited to
67 attend the monthly meetings on a rotating basis as determined by the commission.

68 (h) (1) The commission may request from state agencies such information and
69 assistance as the commission may require.

70 (2) The commission may accept and solicit funds, including any gifts, donations,
71 grants, bequests and federal funds for the purposes of the commission. Such funds shall be
72 deposited in a separate account with the state treasurer and shall be expended by the commission
73 in accordance with law.

74 (i) There shall be an advisory council to the commission which shall serve co-
75 terminously with the governor and shall consist of the commissioner of elementary and
76 secondary education or a designee; the commissioner of early education and care or a designee;
77 the commissioner of higher education or a designee; the commissioner of youth services or a
78 designee; the chief justice of the juvenile court or a designee, the commissioner of juvenile
79 probation or a designee; the house and senate chairs of the joint committee on children, families
80 and persons with disabilities or their designees; and the house and senate chairs of the joint
81 committee on education or their designees. The governor shall additionally appoint members

82 from organizations that focus on children and youth; provided, however, that the governor shall
83 appoint 1 member from each of the following organizations from nominees submitted by the
84 Massachusetts Boys State program, the Massachusetts Girls State program, the YMCA Youth in
85 Government program, the Massachusetts Student Government Day program, the Boys and Girls
86 Clubs of Massachusetts, Teens Leading the Way, the Children's League of Massachusetts,
87 Massachusetts Citizens for Children, Generation Citizen, the Massachusetts Service Alliance,
88 City Year, the Robert F. Kennedy Children's Action Corps and the Mass Mentoring Partnership.
89 There shall be a co-chair appointed from among the executive branch representatives, a co-chair
90 appointed from among the legislative representatives and a co-chair appointed from among the
91 judicial branch representatives.

92 SECTION 2. Notwithstanding section 71 of chapter 3 of the General Laws, the initial
93 members of the commission on the status of children and youth shall be appointed for the
94 following terms: (i) the governor shall appoint 2 members for a term of 1 year, 2 members for a
95 term of 2 years and 1 member for a term of 3 years; (ii) the speaker of the house of
96 representatives shall appoint 2 members for a term of 1 year, 1 member for a term of 2 years and
97 1 member for a term of 3 years; (iii) the president of the senate shall appoint 2 members for a
98 term of 1 year, 1 member for a term of 2 years and 1 member for a term of 3 years; and (iv) the
99 student advisory council to the board of education shall appoint 1 member for a term of 1 year, 2
100 members for a term of 2 years and 3 members for a term of 3 years.