

Chapter 620

**(House Bill 446)**

AN ACT concerning

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

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

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

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

**Article – State Government**

9–2701.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Council” means the Maryland Youth Advisory Council.

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

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

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

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

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

(b) There is a Maryland Youth Advisory Council.

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

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

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

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

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

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

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

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

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

~~[(3)]~~ (III) ~~the following members~~ FOUR YOUTHS appointed by the Governor;

AND

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

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

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

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

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

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

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

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

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

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

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

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

~~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~~

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

~~(2) THE MEMBERS OF THE COUNCIL MUST BE RESIDENTS OF THE STATE.~~

(d) In deciding which [members] YOUTHS to ~~f~~appoint or [select] NOMINATE:

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

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

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

(iii) youths with disabilities; AND

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

- 1. SERVICE LEARNING AND LEADERSHIP PROGRAMS;**
- 2. TEEN COURT PROGRAMS;**
- 3. FOSTER CARE;**
- 4. STUDENT COUNCILS;**
- 5. JUVENILE SERVICE PROGRAMS; AND**
- 6. TRANSITIONAL PROGRAMS;**

(2) the ~~{Governor} CHILDREN'S CABINET~~ AND LOCAL MANAGEMENT BOARDS shall, to the extent practicable, consider:

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

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

(iii) youths with disabilities; [and]

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

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

- 1. SERVICE LEARNING AND LEADERSHIP PROGRAMS;**
- 2. TEEN COURT PROGRAMS;**
- 3. FOSTER CARE;**

4. STUDENT COUNCILS;
5. JUVENILE SERVICE PROGRAMS; AND
6. TRANSITIONAL PROGRAMS; AND

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) provide staff support for the Council;

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

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

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

**(5) ORGANIZE AT LEAST FOUR COUNCIL MEETINGS PER COUNCIL YEAR;**

**(6) ASSIST THE COUNCIL IN PREPARING RECOMMENDATIONS TO THE GOVERNOR AND THE GENERAL ASSEMBLY; AND**

**(7) APPOINT MEMBERS OF THE COUNCIL FROM LISTS OF NOMINATIONS PROVIDED BY THE PERSONS MAKING THE NOMINATIONS SPECIFIED IN SUBSECTION ~~(e)(1)~~ (C)(1)(IV) OF THIS SECTION.**

~~**(H) THE OFFICE OF THE PRESIDENT AND THE OFFICE OF THE SPEAKER SHALL SERVE AS ADVISORS TO THE COUNCIL.**~~

~~[(h)]~~ ~~(h)~~ The Council shall:

(1) inform the Governor and the General Assembly of issues concerning youth, including offering testimony on these issues before legislative bodies;

(2) examine issues of importance to youth, including:

(i) education;

(ii) a safe learning environment;

(iii) employment opportunities;

(iv) strategies to increase youth participation in local and State government;

(v) health care access and quality of care;

(vi) substance abuse and underage drinking;

(vii) emotional and physical well-being;

(viii) the environment;

(ix) poverty;

(x) homelessness;

(xi) youth access to State and local services;

(xii) suicide prevention; and

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

1. schools;

2. school-related activities; and

3. classes;

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



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

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

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

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

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

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

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

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

(i) the function of subcommittees;

(ii) standards of conduct;

(iii) procedures; and

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

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

~~[(k)]~~ ~~(l)~~ The Council shall:

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

(2) conduct one educational meeting **EACH COUNCIL YEAR** concerning the legislative process, to which the President of the Senate, the Speaker of the House, and the

Executive Director of the Department of Legislative Services, or their designees, shall be invited to speak; and

(3) open all meetings to the public.

~~[(1)]~~ ~~(M)~~ A member of the Council:

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

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

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

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

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

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

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

**Approved by the Governor, May 19, 2016.**