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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3853

02/28/2022 Authored by Davnie, Masin, Youakim, Marquart, Morrison and others
The bill was read for the first time and referred to the Committee on State Government Finance and Elections

1.1 A bill for an act
1.2 relating to state government; establishing the Minnesota Youth Advisory Council;
1.3 requiring the Legislative Coordinating Commission to appoint an executive director;
1.4 specifying duties of the council; requiring reports; proposing coding for new law
1.5 in Minnesota Statutes, chapter 15; repealing Minnesota Statutes 2020, section
1.6 124D.957.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. 15.0146 MINNESOTA YOUTH ADVISORY COUNCIL.

1.9 Subdivision 1. Council established. The Minnesota Youth Advisory Council is
1.10 established. The purpose of the council is to provide a voice to Minnesota's youth community
1.11 in policy development and decision making on issues that impact the community.

1.12 Subd. 2. Membership. (a) The membership of the council is as described in this
1.13 subdivision.

1.14 (b) The governor shall appoint three members to represent each of the state's congressional
1.15 districts. Of these, two members from each congressional district must be in grades 8 through
1.16 12 at the time of appointment, and one member must be between the ages of 19 and 23 at
1.17 the time of appointment. The governor may only appoint an individual under the age of 18
1.18 to the council with the consent of the individual's parent or guardian. The governor must
1.19 attempt to ensure that the demographic composition of the council accurately reflects the
1.20 demographic composition of Minnesota's youth community, as determined by the state
1.21 demographer.

1.22 (c) Four legislators are voting members of the council. The speaker of the house and the
1.23 house minority leader shall each appoint one member to the council. The Subcommittee on

2.1 Committees of the senate Committee on Rules and Administration shall appoint one member
2.2 of the majority caucus and one member of the minority caucus to the council.

2.3 (d) The governor may appoint a commissioner of a state agency or a designee of that
2.4 commissioner to serve as an ex officio, nonvoting member of the council.

2.5 Subd. 3. **Appointments; terms; removal.** (a) The council's executive director and the
2.6 legislative members may offer advice to the governor on applicants seeking appointment
2.7 to the council.

2.8 (b) Terms, compensation, and filling of vacancies for members appointed by the governor
2.9 are as provided in section 15.059, except that the term of a member is two years. Removal
2.10 of members appointed by the governor is governed by section 15.059, except that: (1) a
2.11 member who missed more than half of the council meetings convened during a 12-month
2.12 period automatically is removed from the council; and (2) a member appointed by the
2.13 governor may be removed by a vote of three of the four legislative members of the council.
2.14 The chair of a council shall inform the governor of the need for the governor to fill a vacancy
2.15 on the council. Legislative members serve at the pleasure of their appointing authority.

2.16 (c) An appointee of the governor may serve one term on the council. A legislator may
2.17 serve no more than eight consecutive years or 12 nonconsecutive years on this council or
2.18 a council established in section 15.0145.

2.19 Subd. 4. **Training; executive committee; meetings; support.** (a) A member appointed
2.20 by the governor must attend orientation training within the first six months of service for
2.21 the member's term. The commissioner of administration must arrange for the training to
2.22 include but not be limited to the legislative process and the duties and responsibilities
2.23 associated with membership on a state advisory council. The governor must remove a
2.24 member who does not complete the training.

2.25 (b) The council shall annually elect from among the members appointed by the governor
2.26 a chair and other officers it deems necessary. These officers and one legislative member
2.27 selected by the council shall serve as the executive committee of the council.

2.28 (c) Forty percent of voting members of the council constitutes a quorum. A quorum is
2.29 required to conduct council business. A council member may not vote on any action if the
2.30 member has a conflict of interest under section 10A.07.

2.31 (d) The council shall receive administrative support from the commissioner of
2.32 administration under section 16B.371. The council may contract in its own name but may
2.33 not accept or receive a loan or incur indebtedness except as otherwise provided by law.

3.1 Contracts must be approved by a majority of the members of the council and executed by
3.2 the executive director. The council may apply for, receive, and expend in its own name
3.3 grants and gifts of money consistent with the powers and duties specified in this section.

3.4 (e) The attorney general shall provide legal services to the council on behalf of the state
3.5 on all matters relating to the council, including matters relating to the state as the employer
3.6 of the executive director of the council, and other council staff.

3.7 Subd. 5. **Executive director; staff.** (a) The Legislative Coordinating Commission must
3.8 appoint an executive director for the council. The executive director must be experienced
3.9 in administrative activities and familiar with the challenges and needs of Minnesota's youth
3.10 community. The executive director serves in the unclassified service at the pleasure of the
3.11 Legislative Coordinating Commission.

3.12 (b) The Legislative Coordinating Commission must establish a process for recruiting
3.13 and selecting applicants for the executive director position. This process must include
3.14 consultation and collaboration with the council.

3.15 (c) The executive director and council members must work together in fulfilling council
3.16 duties. The executive director must consult with the commissioner of administration to
3.17 ensure appropriate financial, purchasing, human resources, and other services for operation
3.18 of the council.

3.19 (d) The council chair must report to the chair of the Legislative Coordinating Commission
3.20 regarding the performance of the executive director, including any recommendations
3.21 regarding disciplinary actions. The executive director must appoint and supervise the work
3.22 of other staff necessary to carry out the duties of the council.

3.23 (e) The executive director must submit the council's biennial budget request to the
3.24 commissioner of management and budget as provided under chapter 16A.

3.25 (f) The Legislative Coordinating Commission may delegate its responsibilities under
3.26 this section to a subcommittee or subgroup of the commission or the chair of the council.

3.27 Subd. 6. **Duties of council.** (a) The council must work for the implementation of
3.28 economic, social, legal, and political equality for the youth community. The council shall
3.29 work with the legislature and governor to carry out this work by performing the duties in
3.30 this section.

3.31 (b) The council shall develop and approve a strategic plan to guide the council's work
3.32 in implementing the duties and goals required by this section.

4.1 (c) The council shall advise the governor and the legislature on issues confronting the
 4.2 youth community. This may include but is not limited to presenting the results of surveys,
 4.3 studies, and community forums to the appropriate executive departments and legislative
 4.4 committees.

4.5 (d) The council shall advise the governor and the legislature of administrative and
 4.6 legislative changes needed to improve the economic and social condition of the youth
 4.7 community. This may include but is not limited to working with legislators to develop
 4.8 legislation to address these issues and to work for passage of the legislation.

4.9 (e) The council shall advise the governor and the legislature of the implications and
 4.10 effect of proposed administrative and legislative changes on the youth community. This
 4.11 may include but is not limited to tracking legislation, testifying as appropriate, and meeting
 4.12 with executive departments and legislators.

4.13 (f) The council shall serve as a liaison between state government and organizations that
 4.14 serve the youth community. This may include but is not limited to working with these
 4.15 organizations to carry out the duties in paragraphs (a) to (e), and working with these
 4.16 organizations to develop informational programs or publications to involve and empower
 4.17 youth in seeking improvement in their economic and social conditions.

4.18 (g) The council shall perform or contract for the performance of studies designed to
 4.19 suggest solutions to identified problems in the areas of education, employment, human
 4.20 rights, health, housing, social welfare, and other related areas.

4.21 (h) In carrying out duties under this subdivision, the council may act to advise on issues
 4.22 that affect the shared constituencies of a council established in section 15.0145.

4.23 Subd. 7. **Duties of council members.** A council member shall:

4.24 (1) attend and participate in scheduled meetings and be prepared by reviewing meeting
 4.25 notes;

4.26 (2) maintain and build communication with the youth community;

4.27 (3) collaborate with the council and executive director in carrying out the council's duties;
 4.28 and

4.29 (4) participate in activities the council or executive director deem appropriate and
 4.30 necessary to facilitate the goals and duties of the council.

4.31 Subd. 8. **Reports.** The council must report on the measurable outcomes achieved in the
 4.32 council's current strategic plan to meet its statutory duties, along with the specific objectives

5.1 and outcome measures proposed for the following year. The council must submit the report
5.2 by January 15 each year to the chairs of the committees in the house of representatives and
5.3 the senate with primary jurisdiction over state government operations and other committees
5.4 as the council determines appropriate. Each report must cover the calendar year of the year
5.5 before the report is submitted. The specific objectives and outcome measures for the
5.6 following current year must focus on three or four achievable objectives, action steps, and
5.7 measurable outcomes for which the council will be held accountable. The strategic plan
5.8 may include other items that support the statutory purposes of the council but should not
5.9 distract from the primary statutory proposals presented. The biennial budget of the council
5.10 must be submitted to the Legislative Coordinating Commission by February 1 in each
5.11 odd-numbered year.

5.12 Sec. 2. **REPEALER.**

5.13 Minnesota Statutes 2020, section 124D.957, is repealed.

5.14 Sec. 3. **EFFECTIVE DATE; INITIAL APPOINTMENTS.**

5.15 This act is effective July 1, 2022. The governor and legislature must make initial
5.16 appointments to the council no later than August 1, 2022. The executive director of the
5.17 Legislative Coordinating Commission must convene the first meeting of the council no later
5.18 than September 15, 2022.

124D.957 MINNESOTA YOUTH COUNCIL COMMITTEE.

Subdivision 1. **Establishment and membership.** The Minnesota Youth Council Committee is established within and under the auspices of the Minnesota Alliance With Youth. The committee consists of four members from each congressional district in Minnesota and four members selected at-large. Members must be selected through an application and interview process conducted by the Minnesota Alliance With Youth. In making its appointments, the Minnesota Alliance With Youth should strive to ensure gender and ethnic diversity in the committee's membership. Members must be between the ages of 13 and 19 and serve two-year terms, except that one-half of the initial members must serve a one-year term. Members may serve a maximum of two terms.

Subd. 2. **Duties.** The Minnesota Youth Council Committee shall:

- (1) provide advice and recommendations to the legislature and the governor on issues affecting youth;
- (2) serve as a liaison for youth around the state to the legislature and the governor; and
- (3) submit an annual report of the council's activities and goals.

Subd. 3. **Partnerships.** The Minnesota Youth Council Committee shall partner with nonprofits, the private sector, and educational resources to fulfill its duties.

Subd. 4. **Youth Council Committee in the legislature.** (a) The Minnesota Youth Council Committee shall meet at least twice each year during the regular session of the legislature.

(b) The committee may:

- (1) select introduced bills in the house of representatives and senate for consideration for a public hearing before the committee;
- (2) propose youth legislation;
- (3) provide advisory opinions to the legislature on bills heard before the committee; and
- (4) prepare a youth omnibus bill.

(c) The leaders of the majority and minority parties of the house of representatives and senate shall each appoint one legislator to serve as a legislative liaison to the committee. Leadership of the house of representatives and senate, on rotating years, may appoint a staff member to staff the committee.