

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND SPECIAL SESSION-2004

Legislative Document

No. 1917

H.P. 1419

House of Representatives, March 9, 2004

An Act To Implement the Recommendations of the Legislative Youth Advisory Council

Reported by Representative PARADIS of Frenchville for the Legislative Youth Advisory Council pursuant to the Maine Revised Statutes, Title 3, section 168-A, subsection 1, paragraph E.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed under Joint Rule 218.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Be it enacted by the People of the State of Maine as follows:

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Sec. 1. 3 MRSA §168-A, sub-§10, as amended by PL 2003, c. 20, Pt. F, §3, is further amended to read:

10. Staff. The Edmund S. Muskie School of Public Service shall provide funding and staff assistance to the council from within its existing budgeted resources or from grants received by the school for that purpose until expiration of the cooperative agreement between the Legislative Council and the Edmund S. Muskie School of Public Service on June 30, 2005. Beginning July 1, 2005, the Legislative Council shall provide staffing assistance to the council. That assistance may not interfere with the staff support the Legislative Council provides to the Legislature. The Office of Policy and Legal Analysis shall draft all legislation submitted to the Legislature by the council.

Sec. 2. 22 MRSA §3-A, as amended by PL 1971, c. 622, §69-D, is further amended to read:

§3-A. State wards

When a state ward becomes 18 years of age and he the state ward and the department agree that need for care and support for educational, social or physical reasons exists, the department is authorized to continue care and support of this person to ~~the age of 21~~ 23 years of age.

Sec. 3. Participation in school activities by students residing with other than parent or parents. The Department of Human Services, the Department of Behavioral and Developmental Services and the Department of Education shall jointly study the impact of school parental consent requirements on opportunities for students residing with other than the parent or parents to participate in extracurricular and off-site school activities, identify barriers to participation in such activities by those students and develop a plan to address identified needs. In conducting the study, the departments shall solicit input from students residing with other than the parent or parents. The departments shall submit a written report on the results of the study, including suggested implementing legislation, to the Legislative Youth Advisory Council not later than December 15, 2004. Upon request of the council, a representative of each department shall appear before the council to discuss the study.

Sec. 4. Qualification for driver's licenses by youth residing in group homes.

The Secretary of State and the Department of Human Services shall jointly study the process for issuance of driver's licenses to youth and review experiences of and identify barriers to youth residing in group homes in obtaining driver's licenses and develop a plan to address identified needs. In conducting the study, the Secretary of State and the department shall solicit input from students residing in group homes. The Secretary of State and the department shall submit a written report of their study, including suggested implementing legislation, to the Legislative Youth Advisory Council not later than December 15, 2004. Upon request of the council, a representative of the Office of the Secretary of State and a representative of the department shall appear in person before the council to discuss the study.

Sec. 5. Legislative Youth Advisory Council funding.

On July 1, 2005, following expiration of the cooperative agreement between the Legislative Council and the Edmund S. Muskie School of Public Service by which the Legislative Council provided funding to the Edmund S. Muskie School of Public Service in the amount of \$26,300 to be used for the expenses of the Legislative Youth Advisory Council for fiscal years 2003-04 and 2004-05, the Legislature shall provide funding for the expenses of the council.

SUMMARY

This bill implements the recommendations of the Legislative Youth Advisory Council and is submitted pursuant to the Maine Revised Statutes, Title 3, section 168-A, subsection 1, paragraph E. The bill does the following:

1. The bill provides that, if the Department of Human Services and a state ward agree that an extension is needed, the State may provide care and support until the ward reaches 23 years of age. Current law requires that state-supported services to state wards end not later than 21 years of age and, therefore, may impede the completion of postsecondary educational study by those persons;

2. It directs the Department of Human Services, the Department of Behavioral and Developmental Services and the Department of Education to study and report back to the Legislative Youth Advisory Council on ways to increase participation in school activities by students residing with other than the parent or parents;

2 3. It directs the Secretary of State and the Department of
Human Services to study and report back to the Legislative Youth
4 Advisory Council on barriers that may exist for youth residing in
group homes in obtaining driver's licenses and methods to
overcome those barriers; and

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8 4. It shifts responsibility for staffing support of the
council from the Edmund S. Muskie School of Public Service to the
Legislative Council and for funding the costs of the council from
10 the Edmund S. Muskie School of Public Service to the Legislature
in fiscal year 2005-06.

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