

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 2114

S.P. 856

In Senate, April 26, 2006

An Act To Implement Organizational Improvements to the Legislative Youth Advisory Council

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MITCHELL of Kennebec.
Cosponsored by Senator: WESTON of Waldo.

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

4 **PART A**

6 **Sec. A-1. 3 MRSA §168-A, sub-§12** is enacted to read:

8 **12. Solicitation of funds prohibited without prior written**
10 **approval. No public or private entity may solicit or receive**
12 **funds from any source on behalf of or for the benefit of the**
14 **council without prior written approval of the Legislative Council**
or its executive director. All such funds, if approved and when
received by the requesting entity, must be immediately
transferred in full to the Legislature and reserved by the
Legislature for use by the council.

16 **Sec. A-2. PL 2005, c. 414, §§3 to 5** are repealed.

18 **Sec. A-3. Commissioner of Education to fund 2 public forums of the**
20 **Legislative Youth Advisory Council during fiscal year 2006-07.** The
22 Commissioner of Education shall use funds received by the
24 Department of Education to support the Task Force on Citizenship
26 Education, established pursuant to Resolve 2003, chapter 143, to
28 pay all costs associated with 2 statewide public forums to be
30 held by the Legislative Youth Advisory Council established in the
32 Maine Revised Statute, Title 3, section 168-A. Furthermore, the
department shall reimburse the Legislature for Legislator
expenses incurred in participating in the public forums. At the
conclusion of the forums and payment of related costs, the
department shall provide the Executive Director of the
Legislative Council with a detailed financial accounting for all
expenses incurred for each public forum, including the sources of
the funding.

34 The 2 public forums must be held between July 1, 2006 and
36 November 30, 2006, in high schools north and south of Augusta and
38 must be for the purpose of soliciting input, suggestions and
40 ideas for enhanced civic education in the State's secondary
42 school system. The commissioner shall provide at least one staff
44 person to attend each public forum and prepare written summaries
46 of the meetings. The Legislative Council shall also provide a
48 staff person to attend each public forum. These 2 public forums
of the Legislative Youth Advisory Council constitute 2 of the 6
annual meetings of the council authorized under the Maine Revised
Statutes, Title 3, section 168-A, subsection 1. The Legislative
Youth Advisory Council must include a summary of those public
forums, along with any recommendations resulting from those
forums, in a report submitted to the Legislative Council by
January 15, 2007.

2 Completion of the 2 public forums required under this
3 section and full payment by the department of all associated
4 costs constitutes fulfillment of the duties of the department and
5 the Legislative Youth Advisory Council pertaining to public
6 forums required under Resolve 2003, chapter 143, Part A, sections
7 2 and 3.

8 PART B

10 **Sec. B-1. 3 MRS §168-A, sub-§1, ¶E,** as amended by PL 2003, c.
11 20, Pt. F, §2, is further amended to read:

12 E. Report annually ~~biennially~~ to the Legislature
13 Legislative Council on its activities by February-15th-of
14 each-year December 1st preceding each second regular session
15 of the Legislature. The council may submit proposed
16 legislation as part of its report to the Legislature
17 Legislative Council to implement its recommendations.

20 **Sec. B-2. 3 MRS §168-A, sub-§3,** as amended by PL 2003, c.
21 481, §1 and c. 689, Pt. B, §6, is repealed and the following
22 enacted in its place:

24 3. Membership. The council consists of 20 voting members
25 who are Maine residents and appointed in accordance with this
26 subsection. In appointing members, the appointing authorities
27 shall consider geographic distribution. All youth and
28 legislative appointments must be made within 60 days after the
29 convening of each new Legislature. All appointments are for the
30 duration of the legislative term for which the members are
31 appointed and expire upon the convening of the next Legislature.
32 The appointing authorities shall select youth members from youths
33 recommended by principals, guidance counselors or administrative
34 heads of secondary or postsecondary school systems,
35 representatives of equivalent instruction programs or other
36 organizations having an interest in youth activities. Members
37 may be reappointed to subsequent terms on the council as long as
38 they are eligible at the time of their reappointment.

40 A. The President of the Senate shall appoint the following
41 10 members:

42 (1) Seven youths who have attained 16 years of age and
43 who are enrolled in programs that lead to a secondary
44 school diploma or certificate of attendance or a
45 general equivalency diploma, enrolled in equivalent
46 instruction programs under Title 20-A, chapter 211,
47 subchapter 1-A or enrolled at postsecondary educational
48 institutions located in the State;

50

2 (2) One youth who has attained 16 years of age and is
3 enrolled in an equivalent instruction program under
4 Title 20-A, chapter 211, subchapter 1-A; and

5 (3) Two members of the Senate.

6 B. The Speaker of the House shall appoint the following 10
7 members:

8 (1) Seven youths who have attained 16 years of age and
9 who are enrolled in programs that lead to a secondary
10 school diploma or certificate of attendance or a
11 general equivalency diploma, enrolled in equivalent
12 instruction programs under Title 20-A, chapter 211,
13 subchapter 1-A or enrolled at postsecondary educational
14 institutions located in the State;

15 (2) One youth who has attained 16 years of age and who
16 is enrolled in an equivalent instruction program under
17 Title 20-A, chapter 211, subchapter 1-A; and

18 (3) Two members of the House of Representatives.

19 **Sec. B-3. 3 MRSA §168-A, sub-§4,** as repealed and replaced by
20 PL 2003, c. 481, §2, is amended to read:

21 **4. Chairs.** There is a legislative chair and a youth chair
22 of the council. The legislative chair alternates every 2 years
23 between the first-appointed member of the House of
24 Representatives and the first-appointed member of the Senate,
25 beginning in 2003 with the first-appointed member of the House of
26 Representatives serving as the legislative chair for the 121st
27 Legislature. The members shall elect one of their youth members
28 to serve as the youth chair for ~~a term of one year~~ that biennium.

29 **Sec. B-4. 3 MRSA §168-A, sub-§5,** as enacted by PL 2001, c.
30 439, Pt. PPPP, §1 and affected by §4, is amended to read:

31 **5. Integration with learning results.** The Department of
32 Education may seek the cooperation of the council shall--work
33 ~~cooperatively with the Department of Education~~ on the integration
34 of council experience into the learning results standards in
35 student service and career preparation.

36 **Sec. B-5. Transition provisions; youth appointments.**
37 Notwithstanding the provision of the Maine Revised Statutes,
38 Title 3, section 168-A, subsection 3, youth members of the
39 Legislative Youth Advisory Council established in the Maine
40 Revised Statutes, Title 3, section 168-A who were appointed to
41 the council prior to the effective date of this Act for a term of
42

2 2 years may serve for the entire period of that 2-year
3 appointment.

4

5 SUMMARY

6

7 Part A repeals a requirement that the Department of
8 Education transfer \$30,000 to the Legislature to fund certain
9 activities of the Legislative Youth Advisory Council. In lieu of
10 that transfer, this bill instead requires that the Department of
11 Education use existing Other Special Revenue funds to pay for 2
12 statewide public forums of the council between July 1, 2006 and
13 November 30, 2006. Completion of the 2 public forums required in
14 this bill and payment by the department of all associated costs
15 constitute fulfillment of the duties of the department and the
16 council pertaining to public forums required under Resolve 2003,
17 chapter 143, Part A, sections 2 and 3. A summary of these
18 forums, along with any recommendations from those forums, will be
19 included in the council's report to the Legislature in January
20 2007. Part A also adds a provision prohibiting any public or
21 private entity from seeking any outside funds to support
22 activities of the council without first obtaining the prior
23 written approval from the Legislative Council or its executive
24 director.

25 Part B simplifies the appointment process, changes the
26 council's reporting requirements from an annual report to the
27 full Legislature to a biennial report to the Legislative Council,
28 changes the number of youth members on the council from 18 to 16,
29 requires youth members to be at least 16 years of age at the time
30 of appointment and requires that all youths and legislative
31 members be appointed or reappointed at the start of each new
32 Legislature. Transition provisions are included that allow
33 current youth members to serve the full 2-year term for which
34 they were appointed under the previous law.

FISCAL NOTE REQUIRED
(See attached)



122nd MAINE LEGISLATURE

LD 2114

LR 3287(01)

An Act to Implement Organizational Improvements to the Legislative Youth Advisory Council

Fiscal Note for Original Bill

Sponsor: Senator Mitchell

Committee: Not Referred

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

The Department of Education received funds totaling \$103,125 to support the Task Force on Citizenship Education in fiscal years 2004-05 and 2005-06. Of that amount, \$46,320 has been expended to-date, resulting in a remaining balance of \$56,805. The Department has indicated that these funds will be sufficient to support the costs of the 2 statewide public forums to be held by the Youth Advisory Council by November 30, 2006.