

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

SING  
R. 05.

Date: 1-29-10

(Filing No. S-357)

STATE AND LOCAL GOVERNMENT

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

124TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 386, L.D. 1022, Bill, "An Act To Amend the Laws Governing the Legislative Youth Advisory Council"

Amend the bill by striking out everything after the title and before the summary and inserting the following:

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** this legislation needs to take effect before the expiration of the 90-day period in order to allow new appointments to the Legislative Youth Advisory Council to be made immediately and to allow the council to begin to plan meetings and hold meetings immediately according to the altered provisions of the law; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1.** 3 MRSA §168-A, as amended by PL 2007, c. 679, §§1 and 2, is repealed.

**Sec. 2.** 3 MRSA §168-B is enacted to read:

**§168-B. Legislative Youth Advisory Council**

The Legislative Youth Advisory Council, referred to in this section as "the council," is created to advise the Legislature on policy matters related to youth.

**1. Membership.** The council consists of 20 members appointed in accordance with this subsection. In appointing members, the appointing authorities shall strive to ensure a balance among members in terms of statewide geographic distribution and gender. All appointments are for the duration of the legislative term for which the members are appointed and expire upon the convening of the next Legislature. Members may be

**COMMITTEE AMENDMENT**

1 reappointed to subsequent terms on the council as long as they are eligible at the time of  
2 their reappointment.

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

4 (1) Two members of the Senate representing the 2 largest political parties in the  
5 Senate; and

6 (2) Eight youths who have attained 15 years of age and who are enrolled in  
7 programs that lead to a secondary school diploma or certificate of attendance or a  
8 general equivalency diploma or are enrolled in equivalent instruction programs  
9 under Title 20-A, chapter 211, subchapter 1-A. The youth members must be  
10 appointed from names recommended for appointment by the 2 appointed  
11 members of the Senate.

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

13 (1) Two members of the House of Representatives representing the 2 largest  
14 political parties in the House; and

15 (2) Eight youths who have attained 15 years of age and who are enrolled in  
16 programs that lead to a secondary school diploma or certificate of attendance or a  
17 general equivalency diploma or are enrolled in equivalent instruction programs  
18 under Title 20-A, chapter 211, subchapter 1-A. The youth members must be  
19 appointed from names recommended for appointment by the 2 appointed  
20 members of the House of Representatives.

21 2. Chairs. The first appointed Senate member is the Senate chair of the council and  
22 the first appointed House member is the House chair of the council.

23 3. Compensation. Members of the council who are Legislators are entitled to the  
24 legislative per diem and to reimbursement of reasonable expenses incurred in attending  
25 meetings of the council. Youth members of the council are entitled to reimbursement of  
26 reasonable expenses incurred in attending meetings of the council only upon a  
27 demonstration of financial hardship.

28 4. Meetings. The council may hold 2 meetings in each calendar year in a location in  
29 the State chosen by the chairs. There is no quorum requirement for the meetings.  
30 Legislative members shall encourage the use of social networking media during and  
31 between meetings to facilitate communication and participation of council members and  
32 others interested in the council's work. The legislative members shall encourage the  
33 participation of youth members in the legislative process by providing opportunities  
34 during the legislative session for youth members to shadow legislative members, attend  
35 hearings and work sessions of legislative committees and testify before the committees on  
36 legislation of interest to youth. Shadowing and participatory activities are not considered  
37 meetings of the council.

38 5. Report. The council shall submit a biennial report to the Legislative Council no  
39 later than the 2nd Friday in February of even-numbered years, beginning in 2012. The  
40 report may include recommendations on policy issues before the Legislature pertaining to  
41 youth and may include recommended legislation.

1 6. Staff. The Legislative Council may authorize staff support for the council for  
2 meetings held during the legislative interim.

3 **Sec. 3. 5 MRSA §12004-I, sub-§54-C,** as enacted by PL 2001, c. 439, Pt. PPPP,  
4 §2 and affected by §4, is amended to read:

5 **54-C.**

6	Legislature	Legislative Youth	Legislative Per	3 MRSA §168-A
7		Advisory Council	Diem and Expenses	<u>§168-B</u>
8			for Legislators and	
9			Expenses Only for	
10			<del>Certain Members</del>	
11			<u>Youth Members</u>	
12			<u>upon Demonstration</u>	
13			<u>of Financial</u>	
14			<u>Hardship</u>	

15 **Sec. 4. Funding.** No funds are appropriated or allocated to the Legislative Youth  
16 Advisory Council in this Act. All activities of the Legislative Youth Advisory Council  
17 during fiscal years 2009-10 and 2010-11 must be funded from funds budgeted by the  
18 Legislative Council in the current biennium.

19 **Sec. 5. Transition.** Legislative members and youth members appointed to the  
20 Legislative Youth Advisory Council on or after January 1, 2009 under the Maine Revised  
21 Statutes, Title 3, former section 168-A are entitled to remain as members of the  
22 Legislative Youth Advisory Council formed under Title 3, section 168-B until the  
23 expiration of their terms upon the convening of the 125th Legislature.

24 **Emergency clause.** In view of the emergency cited in the preamble, this  
25 legislation takes effect when approved.'

26 **SUMMARY**

27 This amendment replaces the bill. The amendment repeals the existing statute  
28 relating to the Legislative Youth Advisory Council and replaces it with new language that  
29 reduces the cost of the council by reducing the number of times it may meet, providing  
30 greater flexibility with respect to where and how it holds and conducts its meetings and  
31 encouraging the participation of the youth members in the legislative process through  
32 such activities as shadowing legislative members during the session, attending public  
33 hearings and work sessions and testifying before legislative committees on matters  
34 pertaining to youth.

35 The amendment states that no additional funds are appropriated or allocated to the  
36 council and that all activities of the council during fiscal years 2009-10 and 2010-11 must  
37 be funded from the approximately \$4,000 budgeted by the Legislative Council in the  
38 current biennium.

R. 2/8

COMMITTEE AMENDMENT "A" to S.P. 386, L.D. 1022

- 1           The amendment also specifies that legislative and youth members appointed by the
- 2           presiding officers of the 124th Legislature remain as members until the convening of the
- 3           125th Legislature.
- 4           The amendment adds an emergency preamble and emergency clause.

**FISCAL NOTE REQUIRED**  
**(See attached)**

**COMMITTEE AMENDMENT**



# 124th MAINE LEGISLATURE

LD 1022

LR 1412(02)

**An Act To Amend the Laws Governing the Legislative Youth Advisory Council**

**Fiscal Note for Bill as Amended by Committee Amendment "A"**  
**Committee: State and Local Government**  
**Fiscal Note Required: Yes**

---

## Fiscal Note

### Legislative Cost/Study

#### Legislative Cost/Study

The amounts budgeted by the Legislative Council for the Legislative Youth Advisory Council, \$4,000 annually, are sufficient to fund 2 meetings per year of the amended version of the Legislative Youth Advisory Council.