

**Legislative Youth Advisory Council**  
**123<sup>rd</sup> Legislature**  
**Draft Meeting Summary for November 28<sup>th</sup>, 2007**

Wednesday, November 28<sup>th</sup>, 2007  
10:00 a.m. to 3:00 p.m.  
Room 427, State House  
Augusta, Maine

**Youth Members and Legislative Members Present:** Rep. David Farrington, Gorham; Sen. Joseph Perry, Bangor; Benjamin Goodman, Kennebunk; Ian Engdahl, Winthrop; Will Colan, Readfield; Meg Richardson, Kents Hill; Mary Beth Moyer, Lewiston; Dave O’Heir, Waterville; Maureen Quinn, Portland; Zoë Baker, Kennebunk;

**Youth Members and Legislative Members Absent:** Rep. Roberta Muse, Fryeburg; Sen. Paula Benoit, Phippsburg; Hannah Lennett, Litchfield; Alex Cornell du Houx, Brunswick; Grace Wright, Brunswick; Hannah Stein, Portland; Brandon Mazer, Brunswick; Claire Howard, South Portland; Heather Pratt, Chelsea.

**Staff and Others Present:** David Stockford, Maine Children’s Cabinet Senior Staff and Director of Special Services; Shelly Reed, Patrick Norton, Director, Office of Policy and Legal Analysis; Brenna Byrne, Legislative Researcher, Office of Policy and Legal Analysis.

**1. Meeting Called to Order, Approval of August 8<sup>th</sup> Meeting Summary, Review of Agenda**  
Meeting called to order

LYAC Chair Representative David Farrington convened the fourth meeting of the Legislative Youth Advisory Council by requesting introductions from members and guests.

Approval of October 25<sup>th</sup> and November 16<sup>th</sup>/ 17<sup>th</sup> Meeting Summaries

Council members briefly reviewed the last two draft meeting summaries provided in their meeting packets. Representative Farrington called for a motion to simultaneously approve the October 25<sup>th</sup> and November 16<sup>th</sup>/17<sup>th</sup> meeting summaries.

**Motion:** Mary Beth motioned and Will Colan seconded her motion to approve the meeting summaries.

**Vote:** The Council voted unanimously in favor of approving the two meeting summaries as submitted by staff.

Report from LYAC members who attended the 24<sup>th</sup> Annual Peer Leadership Conference

Representative Farrington asked members of LYAC who attended the 24<sup>th</sup> Annual Peer Leadership Conference in Bar Harbor to update the Council on what was learned. Co-Chair Ben Goodman volunteered a summary of LYAC’s performance and the feedback they received during the Saturday workshop pertaining to LD 1254. Ben also spoke of the networking that took place among LYAC members and other individuals and youth groups who attended the conference.

**2. Step-by-step review of 2007 LYAC Draft Biennial Report**

The primary objective of this meeting was to review a first draft of the 2007 LYAC Biennial report, which is due in December. The draft report as prepared by staff contains discussions, findings and recommendations pertaining to several issues the Council has been working on throughout the year. Each Council member had a copy of the draft in front of them and Patrick Norton walked Council members through the draft with the goal of making sure it reflects the Council's voice and to come away from the meeting with amendments that reflect any additional issues, findings and recommendations Council members propose.

The draft report is organized into the following 5 issues:

Issue 1: Youth representation on the State Board of Education

Issue 2: School codes of conduct and co-curricular contracts

Issue 3: Maine Center for Disease Control student survey

Issue 4: Upcoming bills affecting youth

Issue 5: Organization and effectiveness of LYAC

For each issue, Council members reviewed the discussions, findings and recommendations as drafted in the report. This generated additional discussion and in some cases, additional findings and recommendations.

#### Issue 1

The draft report included findings and recommendations made by the Council in its letter to the State Board regarding selection criteria for youth members. In reviewing this issue, two additional recommendations were generated through comments shared by Council who attended the State Board's Youth Forum in Lewiston. The first relates to the statutory criteria for student representation, which the Council believes, inadvertently excludes many students from ever being eligible for consideration at any time during their High School career. The Council agreed that it would like to recommend in their report that the Joint Standing Committee on Education and Cultural affairs amend the laws to correct this oversight. The second recommendation the Council wanted addressed in the report was to allow the selected student members to serve as voting members on the Board.

#### Issue 2

Through a lengthy discussion building on three possible recommendations to the Joint Standing Committee on Education and Cultural Affairs regarding LD 1254 drafted in the report, Council members agreed on modified versions of the recommendations as drafted. These include unanimous support of the Education Committee's ought-not-to-pass vote on LD 1254; specific conditions under which the Council believes juvenile records should be shared with trained school officials for the purpose of treating and rehabilitating a student; and directing the Department of Education to adopt major substantive rules identifying elements for inclusion in a student co-curricular contract for optional use by schools. The Council unanimously agreed that the language of its findings and recommendations regarding LD 1254 should reflect the Council's primary concern of protecting the students' health, learning environment, and right to due process and confidentiality.

Council members spent some time discussing a suggestion raised by a participant at the public hearing workshop LYAC held at the 24<sup>th</sup> Annual Peer Leadership Conference in Bar Harbor. The suggestion was to allow law enforcement to share police records with a school social worker who is bound by confidentiality. Though the Council strongly supported this suggestion's merit, it was found to be problematic in that many schools in Maine do not have school personnel who would qualify as a certified social worker. In addition, the Council strongly supports the protection of a student's right to due process as granted by the Maine Juvenile Code and did not want to recommend legislation that would, in any way, conflict with such protections.

After a lengthy discussion, the Council agreed that it would recommend in its 2007 report that if the Legislature ever considers amending the Juvenile Code to allow more information sharing about juvenile investigations between law enforcement and school, that the only purpose for such information sharing be to allow appropriately trained persons in the school to confidentially help the student obtain whatever behavioral or substance abuse support or rehabilitation is needed. In addition the Council wanted to make clear the following conditions under which it would recommend the sharing of such information with schools:

- With the consent of the student;
- With an appropriately trained social worker or counselor in the school;
- When that person is required to keep such information confidential from others, including others in the school; and
- For the purpose of helping, not disciplining, the student.

Council members felt it important to also address the issues of inconsistency with which co-curricular contracts are enforced across schools and agreed to recommend that the Legislature direct the Department of Education to adopt major substantive rules specifying the minimum elements that must be included in any co-curricular "honor contract", for optional use by schools. The Council also agreed to recommend those minimum elements include, but not be limited to, the types of behavior covered by the contract, the extent to which the contracts cover behavior of students while off school grounds and not engaged in school sponsored activity, provisions to ensure that the contract will be enforced consistently and fairly among all students and the standards to be used by the school to determine whether or not a student has violated the co-curricular contract.

### Issue 3

The Council reviewed and accepted as drafted, a recommendation for the Maine CDC to continue its efforts to improve the focus and administrative efficiency of its statewide survey of high risk behavior among youth and to continue to its efforts to include youth input into the development of the survey instrument.

### Issue 4

As the basis for draft Council recommendations on the issue of up-coming bills that affect youth, Patrick Norton reviewed the results of LYAC's survey of youth who attended the 24<sup>th</sup> Annual Peer Leadership Conference. Survey results indicated youth support for several bills to be considered by the Legislature during the Second Regular session of the 123<sup>rd</sup> Legislature. Respondents were asked to rank, in order of importance, the following four upcoming bills:

- An Act to Improve School Nutrition
- An Act to Protect Children from Second Hand Smoke
- An Act Requiring Teaching of Mental Health Awareness in Maine’s Middle Schools
- An Act to Protect Student Athletes

Survey results revealed that none of the four bills identified above were considered unimportant to youth, however, the two most important to respondents were An Act to Improve School Nutrition and An Act to Protect Children from Second Hand Smoke. The Council accepted, as drafted a recommendation for LYAC to follow all four bills during the Second Regular Session and agreed to provide testimony, as necessary, to the joint standing committee having jurisdiction over these bills.

#### Issue 5

The survey of youth attending the 24<sup>th</sup> Annual Peer Leadership Conference also asked respondents whether or not they were aware of LYAC prior to attending the conference, what ways LYAC could successfully raise awareness about itself among Maine’s youth and what ways LYAC could improve and maintain communication with its youth constituency. Patrick reviewed the results of these survey questions, which were very informative for the Council’s consideration of the effectiveness and organization of LYAC. Results revealed low levels of awareness about LYAC among conference participants. With respect to successful ways of raising awareness, results indicate a preference of a local LYAC presence through visiting schools and posting flyers as well as electronic communication such as creating a “MySpace” or “Facebook” presence. Lastly, results revealed email as the most likely way youth would contact LYAC with an issue or concern they wanted addressed by the Legislature.

The Council agreed that the survey results support the notion that with some change in the way it does business, LYAC could be more effective both in its role as an advisory body within the Legislature and in communicating with its youth constituency.

Prior to this meeting, Council members were asked to bring recommendation proposals in writing. One such proposal was for LYAC to be authorized to meet more often. Patrick informed Council members that this recommendation would require a fiscal note as well as additional staffing resources, which are currently limited. Ben Goodman asked for clarification regarding LYAC’s authority to seek outside funding, which Patrick explained is still allowed under current laws with approval from the Legislative Council.

The Council spent some time brainstorming ways to increase LYAC’s visibility and awareness through ways that don’t require additional costs. Council members also discussed the challenges associated with compliance with Freedom of Access laws and electronic communication. After a lengthy discussion, Council members agreed that it would address outreach issues in its strategy for 2008. The Council also agreed to recommend in its 2007 report allowing LYAC to meet more often to the extent outside funding is available and approved for those meetings in addition to the 6 LYAC is currently authorized to meet. In making this recommendation, the Council recognized its attendance problem and agreed to address this in 2008.

Lastly, the Council identified a timing issue created by the Annual Peer Leadership Conference and LYAC's report deadline, which are only two weeks apart. The Council agreed that it would like to continue participating at the Conference and in the interest of allowing more time for the development of post-conference findings and recommendations should recommend, in its report, a statutory change in LYAC's report deadline from December 1<sup>st</sup> to a date in early February.

#### Additional Issues

An additional issue arose for discussion among Council members about proposing a recommendation in the report to lower the voter pre-registration age to 16-year. This proposal, initiated by Ben Goodman, evolved from discussions he had with participants at the Youth Policy Institute Conference in Minneapolis and focuses on making voter registration more available to young people. Council members viewed this proposed recommendation as a way to alleviate problems associated with college student voting, by increasing the likelihood that college students would vote by absentee. Others stated that it would avoid the heated debate regarding same-day voting that is often part of proposed changes in voting laws. Generally, Council members view this proposal as a tool for building a sense of civic responsibility among youth and see no harm in making the recommendation.

In addition to lowering the voter registration age to 16, the Council discussed recommending that if this were enacted, the Secretary of State should undertake an educational program to ensure that youth and municipal registrars are aware of the change. Cost issues were recognized as a potential barrier to these recommendations. There was also some disagreement among Council members about whether or not lowering the age would make a difference in the number of young people who actually vote. The Council discussed various ways of connecting pre-voter registration with the process of getting driver's licenses, as is the case in Florida. Council members were also made aware of one other state, Hawaii, whose laws allow voter-registration at 16 years old.

**Motion:** After a lengthy discussion, Rep. Farrington asked for a motion to vote on whether or not the Council wanted to recommend lowering the voting registration age to 16 and direct the Secretary of State to publicize this change in the law. Will Colan motioned for this vote and Mary Beth Moyer seconded his motion.

**Vote:** Council members present voting in favor of recommending that the laws be amended to lower the voting registration age to 16 and to direct the Secretary of State to publicize this change in the law include: Maureen Quinn, Meg Richardson, Will Colan, Mary Beth Moyer, Ben Goodman, Rep. Farrington, Sen. Perry, Zoe Baker, and Dave O'Heir. Council members present voting in opposition to this recommendation include: Ian Engdahl.

### **3. Other LYAC Business**

The Council scheduled its first meeting of 2008 for Tuesday January 29<sup>th</sup>, 10 a.m. to 3 p.m. The focus of this meeting will be to prioritize what LYAC will do during the Second Regular Session including getting input from the sponsors of bills it will be following and a thorough review of the legislation LYAC proposed.

Patrick told the Council he would have an updated draft report for the Council's final review in the mail by the middle of next week.

Adjournment: Representative Farrington adjourned this meeting at 3:00 p.m.

Respectfully submitted,

Brenna Byrne, Legislative Researcher  
Office of Policy and Legal Analysis