

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 868

H. P. 654

House of Representatives, February 14, 1973

Referred to the Committee on Education. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Tyndale of Kennebunkport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT to Provide for Nomination of the Commissioner of Educational and Cultural Services by the State Board of Education.

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

R. S., T. 20, § 1-A, amended. The 3rd and 4th sentences of section 1-A of Title 20 of the Revised Statutes, as enacted by section 1 of chapter 492 and as amended by section 2 of chapter 610, both of the public laws of 1971, are further amended to read as follows:

The department shall consist of a Commissioner of Educational and Cultural Services ~~appointed by the Governor from a list of 3 names to be provided~~ **nominated** by the State Board of Education as established, and **approved by the Governor** with the advice and consent of the Council to serve a term coterminous with the Governor subject to removal for cause. The State Board of Education shall submit its ~~list nomination~~ **list nomination** to the Governor within 20 days after the Governor takes the oath of office.

STATEMENT OF FACT

This bill amends the provisions for appointing the Commissioner for the Department of Educational and Cultural Services by providing that the State Board of Education nominate one person for approval by the Governor instead of submitting a list of 3 names as heretofore provided.

This change is required because in the case of an incumbent commissioner, the board has had difficulty in obtaining the permission of other persons to

permit their names to be submitted to the Governor when it was apparent the incumbent would be selected. This change provides that the board shall nominate one person for the Governor's approval. In the event the Governor does not approve the nominee, the board would then make subsequent nominations until the Governor makes an approval. This procedure is consistent with good government practice.