

MAINE STATE LEGISLATURE

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New Draft of: H. P. 1188, L. D. 1662

ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1848

H. P. 1423

House of Representatives, June 16, 1971

Reported by Mr. Farrington from Committee on State Government and printed under Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

AN ACT to Reorganize the Department of Education.

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

Sec. 1. R. S., T. 20, § 1-A, additional. Title 20 of the Revised Statutes is amended by adding a new section 1-A to read as follows:

§ 1-A. Department, commissioner

There is created and established the Department of Education and Cultural Resources to supervise, guide and plan for a coordinated system of public education for all citizens of the State and interrelate public education to other social, economic, physical and governmental activities, programs and services and also to provide for a coordinated, integrated system of cultural resources programs and projects and to encourage and stimulate public interest, support and participation in the cultural heritage, institutions and activities of Maine at both the state and local level to consist of a Commissioner of Education and Cultural Resources appointed by the Governor with the advice and consent of the Council to serve at the pleasure of the Governor and Council and the following as heretofore or hereafter created and established: The Department of Education, the Maine Education Council, the Maine Commission for the Higher Education Facilities Act of 1965, the Maine Advisory Council on Vocational Education, the Maine Representatives to the New England Board of Higher Education, the Maine School Building Authority, the Governor Baxter School for the Deaf, the Maine State Commission on the Arts and the Humanities, the State Museum, the Maine State Museum Commission, the State Historian and the Maine State Library.

Sec. 2. Organization. The Joint Select Special Committee of the Legislature on Governmental Reorganization with the Assistance of the commis-

sioner shall prepare a plan of organization of the department into such bureaus, divisions and sections as may be necessary to carry out efficiently the work of the department. The committee, with the assistance of the commissioner, shall prepare legislation to be presented to a special session of the 105th Legislature to amend, repeal and rearrange statutes to reflect this department's powers, responsibilities and organization.

In preparing such legislation, a provision shall be made that the State Board of Education will sit as an advisory board to be composed of 15 members, 8 of whom shall be appointed by the Governor with the advice and consent of the Council to serve at the pleasure of the Governor and Council and 7 members appointed by the following organizations: One from the Maine Teachers Association, one from the Maine School Boards Association, one from the Maine Municipal Association, one from the State Principals Association, one from the State Superintendents Association, 2 from the Higher Education Council of which one shall represent private institutions and one public institutions. Said advisory board shall meet at least 6 times per year to review activities, present and proposed, of the department and make recommendations concerning same. Said board shall also have the responsibility of selecting and recommending no fewer than 3 candidates for appointment as Commissioner of Education whenever a vacancy in that office may exist.

Directors of bureaus shall be appointed by the Governor with the advice and consent of the Council to serve at the pleasure of the Governor and Council.

The Commissioner shall prepare a budget for the department in accordance with the Revised Statutes, Title 5, chapter 149.

The Commissioner and the Joint Select Special Committee of the Legislature on Governmental Reorganization, may recommend the legislation for the transfer from or to another state department such functions as would appear to properly belong to the other department or to his department. The commissioner shall have no powers or duties relative to the proposed department except those listed in this section.

Sec. 3. Effective date. This Act shall become effective 91 days after adjournment of the Legislature.