

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 246

S.P. 99

In Senate, February 5, 1987

Reference to the Committee on Education suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator ESTES of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Change the Process of Selecting the
2 Commissioner of Educational and
3 Cultural Services.
4

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

7 Sec. 1. 20-A MRSA §251, as amended by PL 1983,
8 c. 123, is repealed and the following enacted in its
9 place:

10 §251. Appointment; term

11 The appointment and term of service of the com-
12 missioner shall be as follows.

13 1. Appointment. The commissioner shall be ap-
14 pointed by the State Board of Education.

1 A. The State Board of Education shall include
2 the Governor or his designee in the selection
3 process and shall ensure that the Governor has an
4 opportunity to meet and interview the candidate
5 or candidates.

6 B. The Chairman of the State Board of Education
7 shall consult with the Governor prior to final
8 selection by the state board. The state board
9 shall consider the Governor's appraisal of the
10 candidate or candidates being considered before
11 making an appointment.

12 2. Term of office. The commissioner shall ini-
13 tially be appointed to serve a 3-year term.

14 A. The State Board of Education shall meet with
15 the commissioner in executive session annually in
16 December for the purpose of reviewing the per-
17 formance of the commissioner at a time and place
18 determined by the Chairman of the State Board of
19 Education.

20 B. The State Board of Education may extend the
21 term of the commissioner by one year at a public
22 meeting following the annual review of perform-
23 ance.

24 Sec. 2. Application. The appointment process set
25 out in this Act shall commence at such time following
26 the effective date of this Act as a vacancy occurs in
27 the office of the Commissioner of Educational and
28 Cultural Services. The term of the commissioner
29 -serving as of the effective date of this Act shall be
30 governed by the law in effect at the time of the com-
31 missioner's appointment.

32 STATEMENT OF FACT

33 The present method of selecting a Commissioner of
34 Educational and Cultural Services does not encourage
35 a bipartisan approach to the appointment process.
36 The intent of this bill is to create a process for
37 the selection of a Commissioner of Educational and
38 Cultural Services which is bipartisan.

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