MAINE STATE LEGISLATURE

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3 4 5 6	STATE OF MAINE HOUSE OF REPRESENTATIVES 113TH LEGISLATURE SECOND REGULAR SESSION
7 8 9	COMMITTEE AMENDMENT " \mathcal{A} " to H.P. 1756, L.D. 2405, Bill, "AN ACT to Enhance and Clarify the Role of the State Board of Education."
10 11 12	Amend the Bill by striking out everything after the enacting clause and inserting in its place the following:
13 14	'Sec. 1. 20-A MRSA §401, first ¶, as amended by PL 1983, c. 812, §101, is further amended to read:
15 16 17 18 19 20	The State Board of Education is established by Title 5, section 12004, subsection 8. The State Board of Education shall be an autonomous body and shall maintain an office in Augusta. The appointments, terms and expenses of the State Board of Education members shall be as follows.
21 22	<pre>Sec. 2. 20-A MRSA §401, sub-§2, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:</pre>
23 24 25 26 27 28 29 30 31	2. Composition. The membership of the state board shall be broadly representative of the public and the regions of the State. A person whose income is derived in substantial portion from income work as a teacher or as an administrator in an educational institution, other than as a college president, may not be eligible for appointment to or service on the state board. Members must have strong interest in and knowledge of education.

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L.D. 2405

(Filing No. H-550)

COMMITTEE AMENDMENT "A" to H.P. 1756, L.D. 2405

- Sec. 3. 20-A MRSA \$401, sub-\$3, as repealed and
 replaced by PL 1983, c. 812, \$102, is amended to read:
- 3. Expenses. Members of the state board shall be compensated according to the provisions of Title 5, chapter 379; a member shall receive compensation whenever that member fulfills any board duties in accordance with board bylaws.
- 8 Sec. 4. 20-A MRSA \$401, sub-\$4, as enacted by
 9 PL 1981, c. 693, \$\$5 and 8, is amended to read:
- 4. Term. The term of office of each member shall be 5 years. Any vacancy shall be filled for the remainder of the unexpired term. The state board shall promulgate rules in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, which establishes the procedure and criteria by which the state board may recommend to the Governor the removal of a member from office prior to completion of the term of appointment for failure to perform the duties of office.
- 20 Sec. 5. 20-A MRSA §401, sub-§5 is enacted to 21 read:
- 22 5. Assistance. The department shall provide 23 staff assistance to the state board in carrying out 24 its functions.
- 25 Sec. 6. 20-A MRSA §404, sub-§1, as enacted by 26 PL 1981, c. 693, §§5 and 8, is amended to read:
- 27 l. Records. The state board shall keep in the 28 office of the commissioner a complete record of the 29 minutes of its meetings and other procedures.
- 30 Sec. 7. 20-A MRSA §405, sub-§9 is enacted to 31 read:
- 32 9. Contract for services. The state board may 33 contract for any necessary consultative services or 34 support staff.

COMMITTEE AMENDMENT " \mathcal{A} " to H.P. 1756, L.D. 2405

1 2 3	Sec. 8. Appropriation. The following appropriated from the General Fund purposes of this Act.	llowing funds are to carry out the
4		1988-89
5	EDUCATION, STATE BOARD OF	
6	State Board of Education	
7 8 9	Personal Services All Other Capital Expenditures	\$21,500 66,500 2,000
10 11 12 13 14	Provides funds for rent, contracting for legal services and other state board expenses.	
15 16	STATE BOARD OF EDUCATION TOTAL	\$90,000
17 18	EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF	
19	Administration - Education	
20 21	Personal Services All Other	\$(21,500) (36,500)
22 23 24 25 26 27 28	Deappropriates funds budgeted for the State Board of Education within the office of the Commissioner of Educational and Cultural Services.	
29 30 31	DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES TOTAL	\$(58,000)'

STATEMENT OF FACT

2 This amendment makes several changes to clarify 3 intent of the original bill. The amendment maintains the administrative independence of the State Board of Education, but permits location of its office within the Department of Educational and Cultural 6 Services building. With respect to composition, the 7 8 amendment prohibition maintains the general professional educators from serving on the board which 9 10 in current law, deletes from current law the 11 exception to that prohibition granted to college 12 presidents, maintains the regional representation 13 and provisions of the original bill adds requirement that members possess strong interest in 14 15 knowledge of education to be eligible for 16 appointment. The amendment also changes the reduction 17 to 3-year terms proposed in the bill by restoring the 18 current 5-year terms and provides for adoption of 19 rules by which the state board may recommend to the 20 Governor that a member be removed for failure to 21 perform the duties of office. Finally, the amendment adjusts the appropriation section and makes other 22 23 technical changes in the orginal bill.

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Reported by the Committee on Education
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