

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 483

S.P. 205

In Senate, February 27, 1989

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator ESTES of York.

Cosponsored by Representative HANDY of Lewiston and Representative PARADIS of Frenchville.

STATE OF MAINE

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

An Act to Change the Process of Selecting the Commissioner of Educational and Cultural Services.



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

3 **20-A MRSA §251**, as repealed and replaced by PL 1983, c.
5 123, is repealed and the following enacted in its place:

7 **§251. Appointment; term**

9 The appointment and term of service of the commissioner shall be as follows.

11 **1. Appointment.** The commissioner shall be appointed by the State Board of Education.

13 **A.** The State Board of Education shall include the Governor or the Governor's designee in the selection process and shall ensure that the Governor has an opportunity to meet and interview the candidate or candidates.

15 **B.** The chair of the State Board of Education shall consult with the Governor prior to final selection by the state board. The state board shall consider the Governor's appraisal of the candidate or candidates under consideration prior to making an appointment.

17 **2. Term.** The commissioner shall be appointed initially to serve a 3-year term.

19 **A.** The State Board of Education shall meet with the commissioner in executive session annually in December to review the performance of the commissioner at a time and place determined by the chair of the State Board of Education.

21 **B.** The State Board of Education may extend the term of the commissioner by one year at a public meeting following the annual review of performance.

23 **3. Commencement of appointment process.** At the time following the enactment of this section, this appointment process shall commence as a vacancy occurs in the office of Commissioner of Educational and Cultural Services. The term of the commissioner serving at the time this section is enacted shall be governed by the law in effect at the time of the commissioner's appointment.

25 **STATEMENT OF FACT**

27 The present method of selecting a Commissioner of
29 Educational and Cultural Services does not encourage a bipartisan
31 approach to the appointment process. The intent of this bill is
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1 to create a process for the selection of a Commissioner of
Educational and Cultural Services which is bipartisan.

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