

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 849

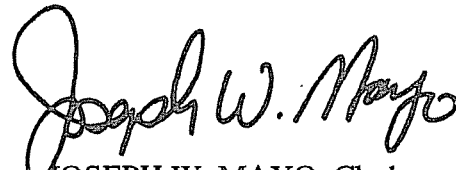
H.P. 629

House of Representatives, March 10, 1993

Resolve, to Create the Commission on Education Rules.

(EMERGENCY)

Reference to the Committee on Education suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative COLES of Harpswell.
Cosponsored by Representatives: MITCHELL of Vassalboro, NORTON of Winthrop, Senators:
AMERO of Cumberland, O'DEA of Penobscot.

Emergency preamble. Whereas, Acts and resolves of the
Legislature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

Whereas, this resolve establishes a commission to study the
education rules affecting school administrative units; and

Whereas, the study must be initiated before the 90-day
period expires in order that the study can be completed and a
report submitted to the next legislative session; and

Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
safety; now, therefore, be it

Sec. 1. Commission established. Resolved: That the Commission
on Education Rules, referred to in this resolve as "the
commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission
consist of 7 members, 2 Senators appointed by the President of
the Senate and 5 members of the House of Representatives
appointed by the Speaker of the House of Representatives; and be
it further

Sec. 3. Appointments; meetings. Resolved: That all
appointments must be made no later than 30 days following the end
of the First Regular Session of the 116th Legislature. The
Executive Director of the Legislative Council must be notified by
the appointing authorities once the selections have been made.
The Chair of the Legislative Council shall convene the first
meeting no later than 45 days after the end of the First Regular
Session of the 116th Legislature; and be it further

Sec. 4. Duties. Resolved: That the commission shall conduct a
comprehensive study of the Department of Education rules
affecting school administrative units. In conducting the study,
the commission shall:

1. Examine the authority and reasons for each rule;
2. Identify rules that require school administrative units
to engage in redundant activity;
3. Determine the rules that are still needed, sensible and
reasonable; and
4. Make recommendations on how to rewrite the rules to
eliminate rules that are redundant or no longer needed and to

2 streamline the rules to minimize the burden they place on school
administrative units.

4 The commission shall encourage participation in its
6 deliberations by school administrative units, local school boards
and professional associations involved with schools; and be it
further

8
10 **Sec. 5. Staff assistance. Resolved:** That the Executive Director
of the Legislative Council shall provide any necessary staff
assistance; and be it further

12
14 **Sec. 6. Reimbursement. Resolved:** That the commission members
are entitled to receive legislative per diem pursuant to the
Maine Revised Statutes, Title 3, section 2; and be it further

16
18 **Sec. 7. Report. Resolved:** That the commission shall submit
its report and recommendations for proposed changes to the rules
to the Joint Standing Committee on Education no later than
20 November 1, 1993.

22 **Emergency clause.** In view of the emergency cited in the
preamble, this resolve takes effect when approved.

24

26

STATEMENT OF FACT

28

30 This resolve creates the Commission on Education Rules to
examine the Department of Education rules affecting school
administrative units and to make recommendations for any
32 necessary changes to those rules.