

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1403

H.P. 1046

House of Representatives, March 5, 2001

Resolve, to Establish the Task Force on School Governance.

(EMERGENCY)

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative ROSEN of Bucksport.
Cosponsored by Senator TURNER of Cumberland and
Representatives: CUMMINGS of Portland, DESMOND of Mapleton, ESTES of Kittery,
RICHARD of Madison, STEDMAN of Hartland, TARAZEWICH of Waterboro, WESTON of
Montville, Senator: MITCHELL of Penobscot.

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

4
6 **Whereas,** the Task Force on School Governance must be
convened before the 90-day period expires in order that any study
it undertakes may be completed and a report submitted in time for
8 submission to the next legislative session; and

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

16 **Sec. 1. Task force established. Resolved:** That the Task Force on
School Governance, referred to in this resolve as the "task
18 force," is established; and be it further

20 **Sec. 2. Task force membership. Resolved:** That the task force
consists of the following 13 members:

22
24 1. Three members appointed by the President of the Senate
and the President Pro Tempore of the Senate, of whom one must be
a Senator and one must be a public member;

26
28 2. Three members appointed by the Speaker of the House, of
whom one must be a Representative and one must be a public member;

30 3. Five members appointed by the Governor;

32 4. The Commissioner of Education or the commissioner's
designee; and

34
36 5. The Chair of the State Board of Education or the chair's
designee.

38 In selecting the public members, the President of the Senate
and the President Pro Tempore of the Senate, the Speaker of the
40 House and the Governor shall seek input from stakeholders groups,
including, but not limited to, practitioners in the education
42 field; the Maine School Superintendents Association; the Maine
School Boards Association; the Maine Principals' Association; the
44 Maine Education Association; the Maine Leadership Consortium; and
the Maine Coalition for Excellence in Education; and be it further

46
48 **Sec. 3. Chairs. Resolved:** That the chair must be appointed by
the Governor from the members that are appointed by the Governor;
and be it further

50

2 **Sec. 4. Appointments; meetings. Resolved:** That all
3 appointments must be made no later than August 15, 2001. The
4 Executive Director of the Legislative Council must be notified by
5 all appointing authorities once the selections have been made.
6 When the appointment of all members has been completed, the chair
7 of the Legislative Council shall call and convene the first
8 meeting of the task force no later than August 31, 2001; and be
it further

10 **Sec. 5. Duties. Resolved:** That the task force shall
11 investigate and develop effective models of school governance
12 with an emphasis upon reviewing and recommending models of
13 governance that best support implementation of Maine's learning
14 results under the Maine Revised Statutes, Title 20-A, section
15 6208 or section 6209. The task force shall review and consider,
16 but need not be limited to, the recommendations of the 1995
17 report of the Committee to Study Organizational and Tax Issues in
18 Public Schools as well as the 2000 Maine Coalition for Excellence
19 in Education's study of school governance. The task force shall
20 consider carefully the appropriate roles of school boards,
21 superintendents, principals, teachers and other staff as well as
22 the community or communities that comprise the local school unit
23 in developing and governing a standards-based school system; and
24 be if further

26 **Sec. 6. Staff assistance. Resolved:** That the task force may
27 request staffing assistance from the Legislative Council. The
28 task force may also request additional staffing and other
29 assistance, as appropriate, from the Department of Education and
30 other appropriate state agencies and educational institutions;
and be it further

32 **Sec. 7. Compensation. Resolved:** That the members of the task
33 force who are Legislators are entitled to the legislative per
34 diem, as defined in the Maine Revised Statutes, Title 3, section
35 2, and reimbursement for necessary expenses incurred for their
36 attendance at authorized meetings of the task force. Other
37 members of the task force who are not otherwise compensated by
38 their employers or other entities that they represent are
39 entitled to receive reimbursement of necessary expenses incurred
40 for their attendance at authorized meetings; and be it further
41

42 **Sec. 8. Report. Resolved:** That, no later than December 15,
43 2001, the task force shall submit its recommendations to the
44 Legislature. The Joint Standing Committee on Education and
45 Cultural Affairs may report out to the Second Regular Session of
46 the 120th Legislature any legislation necessary to implement the
47 recommendations of the task force. If the task force requires a
48 limited extension of time to conclude its work, it may apply to

2 the Legislative Council, which may grant the extension; and be it
further

4 **Sec. 9. Budget. Resolved:** That the chair of the task force,
with assistance from the task force staff, shall administer the
6 task force's budget. Within 10 days after its first meeting, the
task force shall present a work plan and proposed budget to the
8 Legislative Council for approval. The task force may not incur
expenses that would result in the task force's exceeding its
10 approved budget. Upon request from the task force, the Executive
Director of the Legislative Council shall promptly provide the
12 task force chair and staff with a status report on the task
force's budget, expenditures incurred and paid and available
14 funds; and be it further

16 **Sec. 10. Appropriation. Resolved:** That the following funds are
appropriated from the General Fund to carry out the purposes of
18 this resolve.

20 **2001-02**

22 **LEGISLATURE**

24 **Task Force on School Governance
Endowment**

26 All Other \$25,000

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

32 **SUMMARY**

34 This resolve creates a task force to review the structure of
36 school governance in the State through the roles of the school
board, superintendent, principals, teachers and the broader
38 school community.