

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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Legislative Document

No. 420

H.P. 328

House of Representatives, February 4, 2003

### **An Act Regarding the School Board of the Governor Baxter School for the Deaf**

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative CUMMINGS of Portland.  
Cosponsored by Representative: KANE of Saco.

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

2  
3       **Sec. 1. 20-A MRSA §7406, sub-§1**, as amended by PL 1999, c.  
4 775, §7, is further amended to read:

6       **1. Membership.** In appointing members to the school board,  
7 the Governor shall give proper consideration to achieving  
8 statewide geographical representation, cultural equity and gender  
9 equity. In appointing voting members to the school board, the  
10 Governor shall select nominees with experience or special  
11 knowledge in one or more of the following areas: law, finance,  
12 organizational issues, management, education, human resources and  
13 collective bargaining. The school board and interested parties  
14 may submit a list of recommended candidates to the Governor to  
15 aid in making appointments of voting and nonvoting members. The  
16 appointments of voting members made by the Governor are subject  
17 to review by the joint standing committee of the Legislature  
18 having jurisdiction over education matters and subject to  
19 confirmation by the Legislature. The appointments of nonvoting  
20 members made by the Governor are not subject to review by the  
21 joint standing committee of the Legislature having jurisdiction  
22 over education matters or subject to confirmation by the  
23 Legislature. The Governor shall appoint the school board  
24 consisting of 15 voting members and 2 nonvoting members as  
25 follows:

26           A. Four parents of students who are deaf or  
27 hard-of-hearing, including a minimum of one parent with a  
28 child enrolled in the residential program and one parent  
29 with a child receiving service from the school's outreach  
30 program;

31           B. Three deaf representatives of the State's deaf community;

32           C. Eight members of the general public, at least 2 of whom  
33 must have expertise in deaf education; and

34           D. Two students, one who attends the school and one who  
35 receives outreach services, both of whom are nonvoting  
36 members and who may not participate as board members in  
37 executive sessions or receive materials as board members  
38 from executive sessions.

39       **Sec. 2. 20-A MRSA §7407, sub-§9**, as enacted by PL 1995, c.  
40 676, §5 and affected by §13, is amended to read:

41       **9. Property management.** The school board may acquire by  
42 purchase any property, lands, buildings, structures, facilities  
43 or equipment and make improvements to facilities necessary to  
44 fulfill the purposes of this chapter. The State retains  
45

ownership of Mackworth Island and the school facilities. The school board has the legal authority to grant the necessary security interest in Mackworth Island and the facilities in order to secure bonds that generate revenue to make necessary improvements to the school facilities on the island. Notwithstanding section 7403, the school board may make alternative plans regarding the location of the school.

## SUMMARY

The bill amends the appointment process for nonvoting student members of the School Board of the Governor Baxter School for the Deaf to provide that nonvoting members appointed by the Governor are not subject to review by the Joint Standing Committee on Education and Cultural Affairs nor subject to confirmation by the Legislature.

This bill also clarifies that the School Board of the Governor Baxter School for the Deaf has the legal authority to grant the necessary security interest in Mackworth Island and the facilities in order to secure bonds that generate revenue to make necessary improvements to the school facilities on the island.