

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)

Date: 5/29/19

L.D. 1297
(Filing No. H-478)

EDUCATION AND CULTURAL AFFAIRS

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 900, L.D. 1297, Bill, "An Act To Abolish the State Board of Education"

Amend the bill by striking out the title and substituting the following:

'Resolve, To Review Changing the Duties of the State Board of Education'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

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

Whereas, the State Board of Education was established in 1949 as an advisory board to the Commissioner of Education; and

Whereas, the roles and responsibilities of the State Board of Education have since been expanded in numerous ways that have expanded its mission beyond its original advisory role to the point where the mission of the current State Board of Education includes developing education policy and advocating for education policies; and

Whereas, it is essential to review the operations of the State Board of Education in order to ensure that the policymaking roles and responsibilities of the executive and legislative branches of State Government are properly aligned and balanced; 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. Review of duties of State Board of Education. Resolved: That the Commissioner of Education shall convene a stakeholder group to review the duties currently assigned to the State Board of Education, referred to as "the state board" in this resolve, and develop recommendations to change, as necessary, the role of the state board in order to align its responsibilities as an advisory board with current statutes and rules. The stakeholder group review must consider provisions in the Maine Revised Statutes,

COMMITTEE AMENDMENT

REF

1 Title 20-A, chapter 5 and any other provisions in Title 20-A and other statutes and rules
2 where the state board is referenced; and be it further

3 **Sec. 2. Stakeholder group. Resolved:** That the stakeholder group must include
4 representatives of educational organizations, including but not limited to the Maine
5 School Superintendents Association, the Maine School Boards Association, the Maine
6 Education Association, the Maine Principals' Association, the Maine Administrators of
7 Services for Children with Disabilities, the Department of Education, the state board and
8 no more than 2 members of the Joint Standing Committee on Education and Cultural
9 Affairs; and be it further

10 **Sec. 3. Report. Resolved:** That the stakeholder group shall prepare and submit a
11 report, including its findings and recommendations developed pursuant to section 1, to
12 the Joint Standing Committee on Education and Cultural Affairs by December 1, 2009.
13 The Joint Standing Committee on Education and Cultural Affairs may introduce
14 legislation, as appropriate, to the Second Regular Session of the 124th Legislature.

15 **Emergency clause.** In view of the emergency cited in the preamble, this
16 legislation takes effect when approved.'

17 **SUMMARY**

18 This amendment replaces the bill with a resolve to establish a stakeholder group to
19 review the role of the State Board of Education and submit a report and recommendations
20 to the Joint Standing Committee on Education and Cultural Affairs by December 1, 2009.
21 The Joint Standing Committee on Education and Cultural Affairs may introduce
22 legislation to the Second Regular Session of the 124th Legislature. The amendment also
23 changes the bill title and incorporates an emergency preamble and an emergency clause.

FISCAL NOTE REQUIRED
(See attached)



124th MAINE LEGISLATURE

LD 1297

LR 1841(02)

An Act To Abolish the State Board of Education

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Education and Cultural Affairs
Fiscal Note Required: Yes

Fiscal Note

Legislative Cost/Study
Minor cost increase - General Fund

Legislative Cost/Study

The estimated expenditures for the 2 Legislators serving on the stakeholder group in this bill are \$840 in fiscal year 2009-10. The Legislature's proposed budget includes \$10,000 in fiscal year 2009-10 for legislative studies. Whether the amount is sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature.

Fiscal Detail and Notes

Additional costs to the Department of Education to convene the stakeholders group, to conduct the required review and submit the required report can be absorbed within existing budgeted resources. Additional costs to the State Board of Education to participate in the stakeholders group can be absorbed within existing budgeted resources.