

# MAINE STATE LEGISLATURE

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Date: 6/11/13

L.D. 1349  
(Filing No. H-454)

**EDUCATION AND CULTURAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 967, L.D. 1349, Bill, "An Act To Change the Process for Approval of Charter Schools"

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

**'An Act To Amend the Appointment Process for the Maine Charter School Commission'**

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

**'Sec. 1. 20-A MRSA §2405, sub-§8, ¶A,** as amended by PL 2011, c. 570, §7, is further amended to read:

A. The commission consists of 7 members appointed by the state board for 3-year terms. The commission shall elect a chair and such other officers as may be necessary to conduct its business. Four members constitute a quorum.

(1) Three members must be members of the state board, ~~and those 3 members shall nominate the other 4 members who must be approved by a majority vote of the~~ The state board shall appoint the 4 remaining members.

(2) Members appointed to the commission must have diverse professional experience in education, social services, youth training, business startup and administration, accounting and finance, strategic planning and nonprofit governance. The following provisions apply to the appointment of the 4 ~~other~~ members nominated and appointed by the state board ~~members~~ pursuant to subparagraph (1):

(a) In appointing members to the commission, the state board shall give proper consideration to candidates with experience in a noncharter public school in the State in one of the following positions: school board member, superintendent, teacher and special education director; and

(b) ~~The state board shall ensure that~~ Each appointment is subject to review by the joint standing committee of the Legislature having jurisdiction over

**COMMITTEE AMENDMENT**

1 education matters ~~has an opportunity to meet and interview the candidate or~~  
2 ~~candidates nominated for the commission; and to confirmation by the Senate.~~

3 ~~(e) Within 10 days of meeting with the candidate or candidates, the joint~~  
4 ~~standing committee of the Legislature having jurisdiction over education~~  
5 ~~matters shall deliver to the state board its written appraisal of the strengths~~  
6 ~~and weaknesses of the candidate or candidates; and~~

7 ~~(d) The state board shall consider the appraisal of the joint standing~~  
8 ~~committee of the Legislature having jurisdiction over education matters prior~~  
9 ~~to appointing a candidate or candidates to the commission.~~

10 (3) A commission member may not serve more than 3 consecutive terms, but  
11 may serve again after not serving on the commission for at least one term.

12 (4) A commission member may not receive compensation, but may be  
13 reimbursed for expenses.

14 (5) A commission member who is a member of the state board serves on the  
15 commission only during that person's membership on the state board. Upon  
16 expiration of that person's state board membership, the position on the  
17 commission becomes vacant and must be filled in the manner provided for filling  
18 vacancies. The term of a member who is ~~approved by the state board and~~  
19 ~~reviewed by the joint standing committee of the Legislature having jurisdiction~~  
20 ~~over education matters~~ appointed by the state board ends on June 30th of the final  
21 year of the member's term.

22 (6) A vacancy on the commission must be filled in the same manner as the  
23 position in which the vacancy occurs is regularly filled, ~~including, if applicable, a~~  
24 ~~review by the joint standing committee of the Legislature having jurisdiction over~~  
25 ~~education matters.~~ A vacancy is filled for the remainder of the unexpired term.  
26 If the person serves more than 1 1/2 years of an unexpired term, that service  
27 counts as one term for purposes of the limitation set forth in subparagraph (3).

28 (7) A member of the commission may be removed for failure to perform the  
29 duties of office, as specified in commission rules, by a majority vote of the state  
30 board.

31 **Sec. 2. Transition.** Public members of the Maine Charter School Commission  
32 serving on the effective date of this Act continue to serve for the terms for which they  
33 were appointed.'

34 **SUMMARY**

35 This amendment changes the title of the bill; and strikes and replaces the bill to  
36 change the process by which the 4 public members of the Maine Charter School  
37 Commission are nominated and appointed to the commission. The amendment shifts the  
38 authority for appointing the public members to the entire State Board of Education. The  
39 amendment also requires that the appointment of a public member to the commission is

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1 subject to review by the joint standing committee of the Legislature having jurisdiction  
2 over education matters and to confirmation by the Senate.

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