

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 333

H.P. 247

House of Representatives, February 2, 2017

An Act To Stabilize Maine's Educational Leadership and Vision

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative STEARNS of Guilford.
Cosponsored by Senator MILLETT of Cumberland and
Representatives: DAUGHTRY of Brunswick, FARNSWORTH of Portland, HIGGINS of
Dover-Foxcroft, KORNFELD of Bangor, PIERCE of Falmouth, POULIOT of Augusta,
Senators: MAKER of Washington, SAVIELLO of Franklin.

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

2 **Sec. 1. 20-A MRSA §251**, as amended by PL 1983, c. 123, is repealed.

3 **Sec. 2. 20-A MRSA §251-B** is enacted to read:

4 **§251-B. Selection; term**

5 The selection and term of service of the commissioner is as follows.

6 **1. Selection.** The commissioner is selected by the state board.

7 A. The state board shall include the Governor or the Governor's designee in the
8 selection process and shall ensure that the Governor has an opportunity to meet and
9 interview the candidate or candidates.

10 B. The chair of the state board shall consult with the Governor prior to final selection
11 by the state board. The state board shall consider the Governor's appraisal of the
12 candidate or candidates prior to making a selection.

13 **2. Review; confirmation.** The candidate selected pursuant to subsection 1 is subject
14 to review by the joint standing committee of the Legislature having jurisdiction over
15 education matters and to confirmation by the Legislature.

16 **3. Term.** The commissioner initially serves a 3-year term. The state board may
17 extend the term of the commissioner by one year at a public meeting following the annual
18 review of performance as provided in subsection 3.

19 **4. Performance review.** The state board shall meet with the commissioner in
20 executive session annually in December to review the performance of the commissioner
21 at a time and place determined by the chair of the state board.

22 **Sec. 3. Commencement of selection process.** Following the effective date of
23 this Act, the selection process set forth in the Maine Revised Statutes, Title 20-A, section
24 251-B must be implemented upon the occurrence of a vacancy in the office of the
25 Commissioner of Education. The term of the commissioner serving on the effective date
26 of this Act is governed by the law in effect at the time of the commissioner's appointment.

27 **SUMMARY**

28 This bill changes the selection process for the position of Commissioner of
29 Education. Instead of being appointed by the Governor, under this bill, the commissioner
30 is selected by the State Board of Education in consultation with the Governor. The
31 candidate selected by the State Board of Education would be subject to legislative review
32 and confirmation.