

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

and the

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Twin City Printery
Lewiston, Maine
1988

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST AND SECOND SPECIAL SESSIONS
and
SECOND REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

Sec. 5. Effective date. This Act shall take effect on July 1, 1989.

Effective July 1, 1989.

CHAPTER 851

H.P. 1756 — L.D. 2405

AN ACT to Enhance and Clarify the Role of the State Board of Education.

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

Sec. 1. 20-A MRSA §401, first ¶, as amended by PL 1983, c. 812, §101, is further amended to read:

The State Board of Education is established by Title 5, section 12004, subsection 8. The State Board of Education shall be an autonomous body and shall maintain an office in Augusta. The appointments, terms and expenses of the State Board of Education members shall be as follows.

Sec. 2. 20-A MRSA §401, sub-§2, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

2. Composition. The membership of the state board shall be broadly representative of the public and the regions of the State. A person whose income is derived in substantial portion from income work as a teacher or as an administrator in an educational institution, other than as a college president, may not be eligible for appointment to or service on the state board. Members must have strong interest in and knowledge of education.

Sec. 3. 20-A MRSA §401, sub-§3, as repealed and replaced by PL 1983, c. 812, §102, is amended to read:

3. Expenses. Members of the state board shall be compensated according to the provisions of Title 5, chapter 379; a member shall receive compensation whenever that member fulfills any board duties in accordance with board bylaws.

Sec. 4. 20-A MRSA §401, sub-§4, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

4. Term. The term of office of each member shall be 5 years. Any vacancy shall be filled for the remainder of the unexpired term. The state board shall promulgate rules in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, which establishes the procedure and criteria by which the state board may recommend to the Governor the removal of a member from office prior to completion of the term of appointment for failure to perform the duties of office.

Sec. 5. 20-A MRSA §401, sub-§5 is enacted to read:

5. Assistance. The department shall provide staff assistance to the state board in carrying out its functions.

Sec. 6. 20-A MRSA §404, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

1. Records. The state board shall keep in the office of the commissioner a complete record of the minutes of its meetings and other procedures.

Sec. 7. 20-A MRSA §405, sub-§9 is enacted to read:

9. Contract for services. The state board may contract for any necessary consultative services or support staff.

Sec. 8. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	<u>1988-89</u>
<u>EDUCATION, STATE BOARD OF</u>	
State Board of Education	
Personal Services	\$21,500
All Other	66,500
Capital Expenditures	2,000
Provides funds for rent, contracting for legal services and other state board expenses.	
STATE BOARD OF EDUCATION	
TOTAL	<u>\$90,000</u>
<u>EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF</u>	
Administration — Education	
Personal Services	\$(21,500)
All Other	(68,500)
Deappropriates funds budgeted for the State Board of Education within the office of the Commissioner of Educational and Cultural Services.	
DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES	
TOTAL	<u>\$(90,000)</u>

Effective August 4, 1988.

CHAPTER 852

H.P. 1591 — L.D. 2177

AN ACT to Amend the Maine Tree Growth Tax Law.

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

Sec. 1. 36 MRSA §578, sub-§1, as amended by PL 1981, c. 706, §7, is further amended to read: