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## **An Act Regarding the Application of Term Limits for the State Board of Education**

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

**Sec. 1. 20-A MRSA §401, sub-§4**, as amended by PL 2005, c. 16, §1, is further amended to read:

**4. Term.** The term of office of each member is 5 years and the term begins when the member is sworn into office. A person may not serve more than any 2 5-year terms. A vacancy must be filled for the remainder of the unexpired term. If a person appointed to fill a vacancy serves more than 2 1/2 years of an unexpired term, that service counts as one term for purposes of the limitation on terms imposed in this subsection. 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. 2. Application.** Notwithstanding Public Law 2005, chapter 16, section 2, the limitation on terms served by members of the State Board of Education contained in the Maine Revised Statutes, Title 20-A, section 401, subsection 4 as amended by this Act applies to terms served by a person who is a member of the State Board of Education on the effective date of this Act except that that person may finish that person's term.

Effective June 30, 2008