

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 158

S.P. 64

In Senate, January 13, 2005

**An Act To Validate Collective Bargaining Provisions That May
Affect Education Policies**

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MILLS of Somerset.

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

2

3 **Sec. 1. 26 MRSA §965, sub-§1, ¶C,** as enacted by PL 1969, c.
4 424, §1, is amended to read:

6

7 C. To confer and negotiate in good faith with respect to
8 wages, hours, working conditions and contract grievance
9 arbitration, except that by such obligation neither party
10 shall--be is compelled to agree to a proposal or be is
11 required to make a concession and except that public
12 employers of teachers shall meet and consult but not
13 negotiate with respect to ~~educational~~ education policies;
14 ~~for.~~ For the purpose of this paragraph, ~~educational~~
15 "education policies shall" does not include wages, hours,
16 working conditions or contract grievance arbitration.

16

17 Provisions in collective bargaining agreements that are
18 later found to control matters of education policy are
19 neither void nor voidable for that reason but are
20 enforceable only for the term of the agreement;

22

SUMMARY

24

25 Current law prohibits public employers of teachers in the
26 course of collective bargaining from negotiating over education
27 policies. This bill maintains that restriction but provides that
28 if provisions in collective bargaining agreements are found to
29 control matters of education policy, then those provisions remain
30 in effect for the term of the agreement.