

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
107TH LEGISLATURE

HOUSE AMENDMENT "A " to H.P. 1242, L.D. 1543, Bill,

"AN ACT Relating to Negotiated Salaries for Teachers."

Amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

'26 MRSA §966, as last amended by PL 1973, c. 458, §9, is repealed and the following enacted in place thereof:

§966. Bargaining unit; how determined

1. Bargaining unit. In the event of a dispute between the public employer and an employee or employees as to the appropriateness of a unit for purposes of collective bargaining or between the public employer and an employee or employees as to whether a supervisory or other position is included in the bargaining unit, the executive director shall make the determination, except that anyone excepted from the definition of public employee under section 962 may not be included in a bargaining unit. In determining whether a supervisory position should be excluded from the proposed bargaining unit, the executive director shall consider, among other criteria, if the principal functions of the position are characterized by performing such management control duties as scheduling, assigning, overseeing and reviewing the work of subordinate employees, or performing such duties as are distinct and dissimilar from those performed by the employees supervised, or exercising judgment in adjusting grievances, applying other established personnel policies and procedures and in enforcing a collective bargaining agreement or establishing or participating in the establishment of performance standards for

subordinate employees and taking corrective measures to implement those standards. Nothing in this chapter is intended to require the exclusion of principals, assistant principals, other supervisory employees from school system bargaining units which include teachers and nurses in supervisory positions.

The executive director of the board shall decide in each case whether, in order to insure to employees the fullest freedom in exercising the rights guaranteed by this chapter and in order to insure a clear and identifiable community of interest among employees concerned, the unit appropriate for purposes of collective bargaining shall be the public employer unit or any subdivision thereof and no unit shall include both professional and nonprofessional employees unless a majority of such professional employees vote for inclusion in such unit, except that teachers may be included in a unit consisting of other certificated employees.

2. Regional bargaining units.

A. Employees of school committees, school directors and school trustees may elect to establish regional bargaining units pursuant to this chapter for the purpose of negotiating wages, pensions and insurance.

B. The regional bargaining units are defined as follows:

(1) Regional bargaining unit No. 1 shall include all school units in Aroostook County and School

Administrative District No. 25.

(2) Regional bargaining unit No. 2 shall include all school units in Washington and Hancock Counties.

Also, it shall include Brewer, Milford, Reed Plantation, Orrington, Otis, School Administrative District No. 22, School Administrative District No. 31, School Administrative District No. 63 and School Administrative District No. 67.

(3) Regional bargaining unit No. 3 shall include all school units in Penobscot and Piscataquis Counties except those in Penobscot County listed in regional bargaining unit No. 2.

(4) Regional bargaining unit No. 4 shall include all school units in Somerset and Franklin Counties. Also, it shall include these units in Kennebec County: China, Manchester, Mt. Vernon, Readfield, Rome, Waterville, Wayne, Winslow, Winthrop, School Administrative District No. 49 and School Administrative District No. 47.

(5) Regional bargaining unit No. 5 shall include all school units in Knox, Lincoln and Waldo Counties and also all of Kennebec County, except those listed in regional bargaining unit No. 4, and Woolwich and Phippsburg in Sagadahoc County.

(6) Regional bargaining unit No. 6 shall include all school units in Oxford and Androscoggin Counties, except School Administrative District No. 55 and School Administrative District No. 72 in Oxford County, and Lisbon and Durham in Androscoggin County.

(7) Regional bargaining unit No. 7 shall include all school units in Sagadahoc and Cumberland County, Counties, except that in Cumberland/ Cape Elizabeth, Portland, Scarborough, South Portland and Westbrook shall comprise regional bargaining unit No. 8 and School Administrative District No. 61 shall be in regional bargaining unit No. 9. Further, this unit shall include Richmond in Kennebec County and Lisbon and Durham in Androscoggin County and Sagadahoc County, except Woolwich and Phippsburg, which are designated as part of regional bargaining unit No. 5.

(8) Regional bargaining unit No. 8 shall include the school units of Cape Elizabeth, Portland, Scarborough, South Portland and Westbrook.

(9) Regional bargaining unit No. 9 shall include all school units in York County and School Administrative District No. 55 and School Administrative District No. 72 in Oxford County and School Administrative District No. 61 in Cumberland County.

C. Said regional bargaining units shall be subject to this chapter, except that employers of school employees within a regional bargaining unit shall select an appropriate bargaining agent for the purpose of implementing the intent of this section.'

Statement of Fact

This amendment permits negotiation of teachers' salaries in districts rather than at large throughout the State.

Filed by Mr. Finemore of Bridgewater.

Reproduced and distributed under the direction of the Clerk of the House.  
5/13/75

(Filing No. H-317)