

MAINE STATE LEGISLATURE

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OF R

STATE OF MAINE
SENATE
108TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "C " to S.P. 752, L.D. 2203 ←→, Bill,
"AN ACT to Clarify the Collective Bargaining Laws for Teachers
and to Establish a Commission to Study the Problems Relating
Thereeto."

Amend the Bill by striking out all of the title and inserting
in its place the following: 'AN ACT to Insure Local Control
Over Education Policy.'

Further amend the Bill by striking out everything after
the enacting clause and before the emergency clause and inserting
in its place the following:

Sec. 1. 20 MRSA §161, sub-§5, 4th sentence, as enacted by
PL 1975, c. 723, §2, is repealed as follows:
~~Just-cause-for-dismissal-or-nonrenewal-may-be-a-negotiable-item
in-accordance-with-the-procedure-set-forth-in-Title-26,-c.-9-A,
for-teachers-who-have-served-beyond-the-probationary-period-~~

Sec. 2. 20 MRSA §161, sub-§5, first ¶, as last amended by PL
1977, c. 580, §17, is further amended by inserting at the end
the following:

The board shall record the hearing in a form susceptible to
transcription and shall transcribe the recording when review of the
board's decision by the Superior Court is sought in accordance
with this section. A teacher whose continuing contract is not renewed
under this subsection may, after the hearing provided herein,
seek review by the Superior Court under Rule 80B of the Maine
Rules of Civil Procedure. The review shall be confined to a determinati
of whether the decision of the school committee was arbitrary
and capricious. The Superior Court shall complete its review

within 60 days after the request for review under Rule 80B is made.'

Statement of Fact

This amendment deletes from the statutes a provision which states that just cause may be a negotiable item, provides that a board hearing on a teacher contract nonrenewal shall be transcribed if needed and requires the Superior Court to complete its review of this type of hearing within 60 days after the board's decision not to renew.

(Trotzky)

NAME:



COUNTY: Penobscot

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(Filing No. S-590)