

# MAINE STATE LEGISLATURE

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L.D. 1580

(Filing No. H- 427 )

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
112TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1087, L.D. 1580, Bill, "AN ACT to Implement Teacher Recognition Grants and Establish a Minimum Salary for Teachers."

Amend the bill by striking out everything after the enacting clause and inserting in its place the following:

'Sec. 1. 20-A MRSA §256, sub-§1, as amended by PL 1983, c. 860, §1, is further amended to read:

1. Report to Governor and Legislature. The commissioner shall prepare and deliver to the Governor and Legislature an annual report on the status of public education in the State, including any suggestions and recommendations to improve public education and including the reporting requirements of section 13506, subsection 3-A.

The commissioner may be invited by the Speaker of the House of Representatives and the President of the Senate annually, in January, to appear before a joint session of the Legislature to address the Legislature on the status of public education in the State and such related matters as the commissioner desires to bring to the Legislature's attention.

Sec. 2. 20-A MRSA §13402, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is repealed.

Sec. 3. 20-A MRSA §§13403 and 13404 are enacted to read:

§13403. Recommended minimum salaries for 1986-87

It is the intent of the Legislature that each school administrative unit and state-operated school

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1 should establish a minimum salary of \$13,500 for cer-  
2 tified teachers for the school year starting after  
3 June 30, 1986.

4 §13404. Minimum salaries for 1987-88

5 Each school administrative unit and  
6 state-operated school shall establish a minimum  
7 starting salary of \$15,500 for certified teachers for  
8 the school year starting after June 30, 1987.

9 Sec. 4. 20-A MRSA §13503, as enacted by PL 1983,  
10 c. 859, Pt. J, §§2 and 7, is repealed.

11 Sec. 5. 20-A MRSA §13503-A is enacted to read:

12 §13503-A. Teacher recognition grants

13 Teacher recognition grants of \$1,000 shall be  
14 awarded to teachers who are or have been employed in  
15 qualifying schools during the 1985-86 school year.  
16 The grants shall be issued by the Treasurer of State  
17 on February 15, 1986, to those employed during the  
18 entire fall semester and on August 15, 1986, to those  
19 employed during the entire spring semester.

20 1. Part-time teachers. The grants will be pro-  
21 rated to teachers whose assignments are less than  
22 full time or who job share a single position. No in-  
23 dividual teacher may receive more than \$1,000 as a  
24 teacher recognition grant.

25 2. Teachers on sabbatical. All teachers on ap-  
26 proved sabbatical leave who are expected to resume  
27 their position in a local school unit shall be in-  
28 cluded as recipients of these grants.

29 3. Exclusions. The following shall not be eli-  
30 gible for the teacher recognition grants provided in  
31 this section:

32 A. Persons providing contract services to a

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1 school administrative unit or units; and

2 B. Substitute teachers and teachers not employed  
3 for the full fall semester or full spring semes-  
4 ter of the 1985-86 school year.

5 Sec. 6. 20-A MRSA §13505, as enacted by PL 1983,  
6 c. 859, Pt. J, §2, is amended to read:

7 §13505. Local filing; certification

8 Qualifying The chief school administrator of  
9 qualifying schools shall file with the commissioner a  
10 certified list of teachers eligible to receive grants  
11 under this chapter, including their names, mailing  
12 addresses, social security numbers, income tax with-  
13 holding status and current salary. Filing informa-  
14 tion shall be submitted on or before January 15th for  
15 the February 15th schedule of payment; the filing for  
16 the August 15th schedule of payment shall be submit-  
17 ted on or before July 15th.

18 Sec. 7. 20-A MRSA §13506, sub-§§2-A and 3-A, are  
19 enacted to read:

20 2-A. Appeal. Teachers may appeal the teacher  
21 recognition grant in writing to a grant review panel  
22 or panels by March 15, 1986, for the grant assigned  
23 February 15th and by September 15, 1986 for the Au-  
24 gust 15th grant. The panel or panels shall be com-  
25 posed of one representative of teachers, one repre-  
26 sentative of school management and one member of the  
27 public and shall be reimbursed for their expenses in-  
28 curring in carrying out their responsibilities under  
29 this subsection. The panel or panels shall be estab-  
30 lished by the commissioner. The cost of administra-  
31 tion of the panel or panels shall be deducted from  
32 the funds available for block grants established in  
33 section 13509.

34 3-A. Reporting. As part of his or her reporting  
35 responsibility under section 256, subsection 1, the

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1 commissioner shall report annually to the Governor  
2 and the Legislature on the following:

3 A. Implementation of the teacher recognition  
4 grants and block grants for enhancing teacher  
5 compensation provided by this chapter;

6 B. The impact on local communities of the School  
7 Finance Act and of implementing increased curric-  
8 ulum and graduation requirements, including rec-  
9 ommended ways to meet increased local needs. The  
10 commissioner shall estimate projected local  
11 costs, including catastrophic costs, and propose  
12 alternative methods for meeting those costs, in-  
13 cluding recommendations for additional state  
14 funding of education costs; and

15 C. The operation of collective bargaining at the  
16 local level.

17 Sec. 8. 20-A MRSA §13507, as enacted by PL 1983,  
18 c. 859, Pt. J, §2, is repealed and the following en-  
19 acted in its place:

20 §13507. Local collective bargaining

21 1. Teacher recognition grants. The state-funded  
22 teacher recognition grants shall not be considered  
23 during local collective bargaining for the purposes  
24 of setting teachers' salaries.

25 2. Block grants. Where a teacher bargaining  
26 agent exists, the teacher bargaining agent and school  
27 administrative unit or qualifying private school  
28 shall, at a minimum, in accordance with the collec-  
29 tive bargaining procedures set forth in Title 26,  
30 chapter 9-A, negotiate, or where a contract is in ef-  
31 fect, reopen negotiations, as to the use of the block  
32 grant funds provided in section 13509 for teacher  
33 salaries. Any funds not expended locally by the end  
34 of one fiscal year are to be expended pursuant to  
35 section 13509, subsection 4, paragraph G.

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1           Sec. 9. 20-A MRSA §13508, as enacted by PL 1983,  
2           c. 859, Pt. J, §2, is amended to read:

3           §13508. Future appropriations

4           It is the intent of the Legislature that at least  
5           \$13,500,000 be appropriated in fiscal year 1985-86,  
6           at least \$27,000,000 be appropriated in fiscal year  
7           1986-87, and at least \$27,000,000 and any additional  
8           funds that may be appropriated in fiscal year 1987-88  
9           by the 112th and 113th Legislatures to carry out the  
10           intent of this chapter. It is also the intent that  
11           appropriations shall be made in subsequent years to  
12           continue the programs established under this chapter.  
13           The appropriations referred to in this section shall  
14           be placed in a nonlapsing account to be used to carry  
15           out the intent of this chapter.

16           Sec. 10. 20-A MRSA §13509, as enacted by PL  
17           1983, c. 859, Pt. J. §2, is repealed and the follow-  
18           ing enacted in its place:

19           §13509. Payments

20           Payments made under this chapter shall be made as  
21           follows.

22           1. School year 1985-86. For the school year  
23           1985-86, payments shall be made in accordance with  
24           sections 13503-A to 13505.

25           2. School year 1986-87. Each school administra-  
26           tive unit and qualifying private school shall receive  
27           a block grant computed pursuant to subsection 4, to  
28           be used to supplement teacher salaries in accordance  
29           with the minimum salary recommendation set forth in  
30           section 13403 and for other teacher salary related  
31           purposes as locally determined.

32           3. School year 1987-88. Each school administra-  
33           tive unit and qualifying private school shall receive

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1 a block grant, computed pursuant to subsection 4, to  
2 be used to supplement teacher salaries in accordance  
3 with the minimum salary requirement set forth in sec-  
4 tion 13404 and for other teacher salary related pur-  
5 poses as locally determined.

6 4. Computation of block grants. The commission-  
7 er shall allocate the money appropriated by the Leg-  
8 islature for block grants in 1986-87 and 1987-88 in  
9 accordance with the following conditions.

10 A. The purpose of the block grant payments is to  
11 assist school administrative units and qualifying  
12 private schools to meet the minimum salary objec-  
13 tives set forth in sections 13403 and 13404 and  
14 to otherwise recognize the importance of teaching  
15 in the schools of the State.

16 B. The amount of the grants to individual units  
17 and qualifying private schools shall generally  
18 reflect the costs that would be necessary to  
19 achieve the minimum salary objectives set forth  
20 in this section and as computed in accordance  
21 with a prototype schedule established by the com-  
22 missioner.

23 C. For the purpose of calculating block grant  
24 amounts only, 6% per year normal teacher salary  
25 increases will be assumed to occur at the local  
26 level. This assumption will be reviewed by the  
27 commissioner prior to the computation of grant  
28 amounts for 1987-88 and may be revised if the ev-  
29 idence suggests the need for revision.

30 D. All units shall receive a minimum grant of  
31 \$400 per teacher in 1986-87 and \$800 per teacher  
32 in 1987-88. The maximum grant per teacher in  
33 1986-87 shall be \$1,800. Any computed  
34 entitlement that was not paid in 1986-87 as a re-  
35 sult of the \$1,800 per teacher limit shall be  
36 paid in 1987-88.

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1           E. The number of teachers to be used in computing  
2           block grant payments in 1986-87 shall include  
3           the number of full-time equivalent teachers eli-  
4           gible to receive the February 1986 teacher recog-  
5           niton grant in each unit or qualifying private  
6           school, plus any additional certified teachers  
7           whose local employment responsibility includes an  
8           assignment to work directly with students in an  
9           instructional or counseling relationship on a  
10           regular basis, excluding teachers whose salaries  
11           are paid from federal funds. The number of  
12           teachers to be used in computing block grant pay-  
13           ments for 1987-88 shall be based on the local  
14           staff information data supplied to the department  
15           in October 1986.

16           F. The department shall collect the necessary  
17           data to allow the recognition grants to be paid  
18           in February and August 1986 and for the block  
19           grants to be paid as supplemental monthly pay-  
20           ments in 1986-87 and in 1987-88. Block grant  
21           payments will be made directly to vocational re-  
22           gions and qualifying private schools on or before  
23           October 15th and April 15th in 1986-87 and  
24           1987-88, based on the submission of information  
25           to the commissioner indicating that those pay-  
26           ments are being used to meet the purposes of this  
27           section.

28           G. Each school administrative unit shall be per-  
29           mitted to carry forward unused block grant money  
30           from one fiscal year to the next succeeding year,  
31           based on information provided to the commissioner  
32           indicating that the money to be carried forward  
33           will be used to meet the purposes of this sec-  
34           tion.

35           H. The amounts required to meet the employer's  
36           share of teacher retirement costs attributable to  
37           block grant payments in 1986-87 and 1987-88 shall  
38           be transferred to the Maine State Retirement Sys-  
39           tem in the appropriate year.



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1           Sec. 11. 20-A MRSA §13510, as amended by PL  
2           1983, c. 860, §2, is repealed.

3           Sec. 12. 20-A MRSA §15602, sub-§1, as enacted by  
4           PL 1983, c. 859, Pt. G, §§2 and 4, is amended to  
5           read:

6           1. Contributions from General Fund. It is the  
7           intent of the Legislature to provide at least 55% of  
8           the cost of the total allocation from General Fund  
9           revenue sources or a percentage no less than that  
10          provided in the year prior to the year of allocation,  
11          whichever is greater.

12          The amount of the teacher recognition grants autho-  
13          rized in section 13503-A which are paid or deemed el-  
14          igible to be paid on August 15, 1986, shall be added  
15          to the actual local operating costs expended by local  
16          units in 1986-87. The minimum amount of the cost of  
17          the total allocation from General Fund revenue  
18          sources for 1988-89 shall be increased by the total  
19          amount expended by the State in 1986-87 for teacher  
20          recognition grants in accordance with section 13503-A  
21          and block grants in accordance with section 13509.  
22          The resulting percentage shall be used to define the  
23          minimum percentage contribution from General Fund  
24          revenue sources in 1988-89 and subsequent years.

25          Sec. 13. Appropriation. The following funds are  
26          appropriated from the General Fund to carry out the  
27          purposes of this Act.

	<u>1985-86</u>	<u>1986-87</u>
28		
29	<u>EDUCATIONAL AND CULTURAL SERVICES,</u>	
30	<u>DEPARTMENT OF</u>	
31	Teacher recognition grants	
32	All Other	\$650,000      \$500,000'

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STATEMENT OF FACT

2 This amendment makes changes in the original bill  
3 to implement the teacher recognition grants program  
4 required by Public Law 1983, chapter 859, the Educa-  
5 tion Reform Act, and to establish a minimum salary  
6 schedule for teachers. The purpose of this amendment  
7 and of the Education Reform Act is to attract and re-  
8 tain highly qualified individuals in the teaching  
9 profession. This amendment accomplishes that purpose  
10 by clarifying the teacher recognition grant concept  
11 which was intended to serve as a bridge to a perma-  
12 nent solution to the teacher compensation issue and  
13 by spelling out what that permanent solution is to  
14 be.

15 Current law requires 2 \$1,000 grants to be  
16 awarded on February 15th and August 15th of 1986, to  
17 teachers who teach full time in qualifying schools  
18 during the 1985-86 school year. The law defines  
19 "teacher" and "qualifying school;" this amendment  
20 makes no change in those definitions. This amendment  
21 carries out the commitment made by the 111th Legisla-  
22 ture for payment of 2 \$1,000 grants in recognition of  
23 the importance of teachers in our schools. The  
24 grants are to be paid directly to each eligible  
25 teacher by the Treasurer of State. This amendment  
26 clarifies who, among those defined as teachers, qual-  
27 ifies for the grants. All teachers who are employed  
28 full time are eligible; teachers who work part-time  
29 or job share are eligible for prorated grants if em-  
30 ployed during either or both the whole fall or spring  
31 semester; and teachers on approved sabbatical leave  
32 are eligible. It is not expected that there will be  
33 many teachers in this last category. Persons con-  
34 tracting with schools and substitute teachers are not  
35 eligible. The amendment also provides for an appeal  
36 by which the denial or the amount of a grant may be  
37 appealed to an impartial panel.

38 The Education Reform Act did not specify how

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1 teachers are to be compensated following payment of  
2 the 2 recognition grants. It set up a commission to  
3 study several options and to make recommendations.  
4 This amendment establishes a permanent solution and  
5 repeals that commission. A recommended minimum  
6 starting salary of \$13,500 is established for the  
7 1986-87 school year. School units are encouraged to  
8 reach or surpass that goal, but are not required to  
9 do so. For school year 1987-88, a minimum starting  
10 salary of \$15,500 is required. Units may exceed that  
11 level if they wish.

12 To assist school units in achieving the recom-  
13 mended minimum starting salary in 1987-88, the State,  
14 through the Department of Educational and Cultural  
15 Services, will provide block grants to school units.  
16 For the purpose of guiding the department in the ad-  
17 ministration of the block grants, the amendment con-  
18 tains several assumptions and directions to the de-  
19 partment. For example:

20 1. The amounts of the grants are to be computed  
21 in accordance with a prototype teacher salary sched-  
22 ule developed by the department. That schedule may  
23 not precisely reflect the specific elements of each  
24 unit's schedule, but is to be generally reflective of  
25 typical schedules;

26 2. The amounts of the grants to each unit are to  
27 be based on an assumption of a teacher salary in-  
28 crease of 6% per year within each unit. This is a  
29 conservative estimate as teacher salary increases  
30 have averaged about 7% in recent years. This assump-  
31 tion of a 6% increase is used for computational pur-  
32 poses only and is not to be considered as a mainte-  
33 nance of effort requirement for school units. It is  
34 simply a device to be used by the department to esti-  
35 mate salary levels in each unit for the grant years  
36 in order to determine how much block grant money  
37 should be awarded to that unit to meet the recom-  
38 mended or required salary levels in 1986-87 and  
39 1987-88. The commissioner is ordered to review this

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1 6% assumption prior to computation of the 1987-88  
2 block grants to see if it is still reasonable in  
3 light of the 1986-87 contracts;

4 3. In 1986-87, the department must distribute at  
5 least \$400 per teacher up to a maximum of \$1,800 per  
6 teacher to each school unit. That money must be used  
7 to achieve the recommended \$13,500 starting salary  
8 level or, if the unit is at or above that level, for  
9 other teacher salary related purposes, as determined  
10 by collective bargaining. In 1987-88, the department  
11 will distribute at least \$800 per teacher with no up-  
12 per limit to achieve the required \$15,500 starting  
13 salary level;

14 4. If a school unit determines that it does not  
15 need all the block grant money to which it is enti-  
16 tled in one year, it may carry over unused funds for  
17 one fiscal year to increase teacher salaries in the  
18 next fiscal year; and

19 5. The department is ordered to collect the nec-  
20 essary data and instructed how to make the recogni-  
21 tion grant payments to teachers and the block grant  
22 distribution to school units.

23 The money distributed to school units through the  
24 block grants will be included in the school finance  
25 formula for purposes of increasing the State's share  
26 of education costs. In addition, the 2nd recognition  
27 grant shall be counted in determining the state  
28 share. During the school year 1985-86 when the rec-  
29 ognition grants are paid and 1986-87 and 1987-88 when  
30 the block grants are distributed, the State will bear  
31 most of the costs of increasing teacher salaries.  
32 Beginning in 1988-89, the increased costs will be  
33 borne on a statewide basis mostly by the State  
34 through the school finance formula. Each unit will  
35 bear a cost determined by the percentage of state aid  
36 it receives through the formula which is generally  
37 reflective of the wealth of the community. The in-  
38 crease in the State's share described above will re-

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1       duce much of the impact of salary increases on the  
2       school units.

3             In addition to public schools, the recognition  
4       grants will be paid to schools operated by the State,  
5       including schools in the unorganized territories, and  
6       to any private schools approved for tuition whose en-  
7       rollment consists of at least 60% publicly funded  
8       students. The minimum teacher salaries established  
9       in this amendment apply to state operated schools and  
10      will be administered through the department. Quali-  
11      fying private schools will receive the block grants  
12      established by this amendment only if they voluntari-  
13      ly comply with the minimum starting salary require-  
14      ment established by the amendment.

15            The amendment contains a provision for collective  
16      bargaining to determine the use of the block grants  
17      for teacher salaries and for the reopening of negoti-  
18      ations where an agreement already exists for those  
19      years.

20            Section 1 of the bill incorporates some of the  
21      reporting requirements of the Commission to Study the  
22      Implementation of Educational Reform, which has been  
23      repealed, in the commissioner's reporting responsi-  
24      bilities.

25            Section 2 repeals the current, out-dated teacher  
26      salary schedule.

27            Section 3 establishes a recommended minimum  
28      starting salary of \$13,500 for 1986-87 and a required  
29      minimum starting salary of \$15,500 for 1987-88.

30            Sections 4 and 5 clarify the distribution of  
31      teacher recognition grants required by existing law.

32            Section 6 makes a technical amendment in existing  
33      law regarding the reporting of information by school  
34      units.

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1           Section 7 adds an appeal process and reporting  
2 requirements to the commissioner's responsibilities.

3           Section 8 expands the existing law to cover nego-  
4 tiation of the use of the block grants for teacher  
5 salaries or the reopening of negotiations where a  
6 collective bargaining agreement already exists.

7           Section 9 clarifies the intent of the Legislature  
8 with respect to future appropriations for teacher  
9 salaries.

10           Section 10 defines the information and process to  
11 be used to determine the block grants to school units  
12 for increasing teacher salaries.

13           Section 11 repeals the section establishing the  
14 Commission to Study the Implementation of Educational  
15 Reform.

16           Section 12 includes the amount of the teacher  
17 recognition grant awarded in August 1986, in the cal-  
18 culation of the State's share of the allocation.

19           Section 13 adds an appropriation.

20 4325061185

Reported by the Majority of the Committee on Education  
Reproduced and distributed under the direction of the  
Clerk of the House

6/17/85

(Filing No. H-427)