

# MAINE STATE LEGISLATURE

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L.D. 1580

(Filing No. H-428 )

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

COMMITTEE AMENDMENT "**B**" 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 all of the title and inserting in its place the following: 'AN ACT to Implement Teacher Recognition Grants and Improve Teacher Compensation.'

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

'Sec. 1. 20-A MRSA §13402, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is repealed.

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 J, §§2 and 7, is repealed.

Sec. 3. 20-A MRSA §13503-A is enacted to read:  
§13503-A. Teacher recognition grants

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

1. Part-time teachers. The grants shall be prorated to teachers whose assignments are less than full time or who job share a single position. No individual teacher may receive more than \$1,000 as a teacher recognition grant.

COMMITTEE AMENDMENT "**B**" to H.P. 1087, L.D. 1580

1           2. Teachers on sabbatical. All teachers on ap-  
2 proved sabbatical leave who are expected to resume  
3 their positions in a local school unit shall be in-  
4 cluded as recipients of these grants.

5           3. Exclusions. The following shall not be eligi-  
6 ble for the teacher recognition grants provided in  
7 this section:

8           A. Persons providing contract services to a  
9 school administrative unit or units; and

10           B. Substitute teachers and teachers not employed  
11 for the full fall semester of the 1985-86 school  
12 year.

13           Sec. 4. 20-A MRSA §13505, as enacted by PL 1983,  
14 c. 859, Pt. J, §2, is amended to read:

15           §13505. Local filing; certification

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

26           Sec. 5. 20-A MRSA §13507, as enacted by PL 1983,  
27 c. 859, Pt. J, §2, is repealed and the following en-  
28 acted in its place:

29           §13507. Collective bargaining

30           1. Teacher recognition grants. The state-funded  
31 teacher recognition grants shall not be considered  
32 during local collective bargaining for the purposes

COMMITTEE AMENDMENT "**B**" to H.P. 1087, L.D. 1580

1 of setting teachers' salaries.

2 2. Block grants. Where a teacher bargaining  
3 agent exists, the teacher bargaining agent, school  
4 administrative unit and qualifying private school  
5 shall, at a minimum, in accordance with the collec-  
6 tive bargaining procedures set forth in Title 26,  
7 chapter 9-A, negotiate or, where a contract is in ef-  
8 fect, reopen negotiations, as to the use for teacher  
9 compensation of block grant funds allocated under  
10 section 13509-A, subsection 2. Any funds not expended  
11 by the end of one fiscal year are to be expended pur-  
12 suant to section 13509-A, subsection 6.

13 Sec. 6. 20-A MRSa §13508, as enacted by PL 1983,  
14 c. 859, Pt. J, §2, is amended to read:

15 §13508. Future appropriations

16 It is the intent of the Legislature that at least  
17 \$13,500,000 be appropriated in fiscal year 1985-86,  
18 \$27,000,000 be appropriated in fiscal year 1986-87,  
19 and \$27,000,000 and any additional funds that may be  
20 appropriated in fiscal year 1987-88 by the 112th and  
21 113th Legislatures to carry out the intent of this  
22 chapter. It is also the intent that appropriations  
23 shall be made in subsequent years to continue the  
24 programs established under this chapter. The appro-  
25 priations referred to in this section shall be placed  
26 in a nonlapsing account to be used to carry out the  
27 intent of this chapter.

28 Sec. 7. 20-A MRSa §13509, as enacted by PL 1983,  
29 c. 859, Pt. J, §2, is repealed.

30 Sec. 8. 20-A MRSa §13509-A is enacted to read:

31 §13509-A. Payments

32 Payments under this section shall be made as fol-  
33 lows:

COMMITTEE AMENDMENT "**B**" to H.P. 1087, L.D. 1580

1           1. School year 1985-86. For the school year  
2           1985-86, in accordance with sections 13503-A to  
3           13505;

4           2. School years 1986-87 and 1987-88. Each school  
5           administrative unit and qualifying school shall re-  
6           ceive block grants in 1986-87 and 1987-88 computed  
7           pursuant to subsections 3 and 4, to be used to sup-  
8           plement teacher compensation and for other teacher  
9           compensation related purposes as locally determined.  
10           The block grants shall not be used to supplant a lo-  
11           cal unit's normally expected commitment to education;

12           3. Computation of 1986-87 block grants. The com-  
13           missioner shall allocate the money appropriated by  
14           the Legislature for block grants in 1986-87 in ac-  
15           cordance with the following conditions:

16           A. For each percentage point increase in a  
17           unit's or qualifying private school's base salary  
18           in the previous school year up to a maximum of 6  
19           percentage points, the unit or private school  
20           shall receive a block grant equal to \$8.60 times:

21                   (1) In school administrative units, the  
22                   number of resident students and nonresident  
23                   tuition students attending schools in the  
24                   unit according to the previous school year's  
25                   October and April average enrollment; and

26                   (2) In qualifying private schools, the num-  
27                   ber of publicly-funded students according to  
28                   the previous school year's October to April  
29                   average enrollment;

30           4. Computation of 1987-88 block grants. The  
31           commissioner shall allocate the money appropriated by  
32           the Legislature for block grants in 1987-88 in ac-  
33           cordance with the following conditions:

34           A. For each percentage point increase in a  
35           unit's or qualifying private school's base salary

COMMITTEE AMENDMENT "B" to H.P. 1087, L.D. 1580

1 in the previous school year up to a maximum of 6  
2 percentage points, the unit or private school  
3 shall receive a block grant equal to \$18.30  
4 times:

5 (1) In school administrative units, the  
6 number of resident students and nonresident  
7 tuition students attending schools in the  
8 unit according to the previous school year's  
9 October and April average enrollment; and

10 (2) In qualifying private schools, the num-  
11 ber of publicly-funded students according to  
12 the previous school year's October to April  
13 average enrollment;

14 5. Retirement costs. The amounts required to  
15 meet the employer's share of teacher retirement costs  
16 attributable to block grant payments in 1986-87 and  
17 1987-88 shall be transferred to the Maine State Re-  
18 retirement System in the appropriate year; and

19 6. Unexpended funds. Funds not expended at the  
20 end of the fiscal year shall be carried over as fol-  
21 lows.

22 A. Each school administrative unit shall be per-  
23 mitted to carry forward unused block grant money  
24 from one fiscal year to the next succeeding year  
25 based on information provided to the commissioner  
26 indicating that the money to be carried forward  
27 will be used to meet the purposes of this sec-  
28 tion.

29 B. Unexpended funds in the nonlapsing account  
30 established in section 13508 at the end of fiscal  
31 years 1986-87 and 1987-88 shall be reallocated  
32 and expended to meet the purposes of the Innova-  
33 tive Educational Grants under chapter 612.

34 Sec. 9. 20-A MRSA §13510, as amended by PL 1983,  
35 c. 860, §2, is repealed.

COMMITTEE AMENDMENT "B" to H.P. 1087, L.D. 1580

1           Sec. 10. 20-A MRSA §15602, sub-§1, as enacted by  
2 PL 1983, c. 859, Pt. G, §§2 and 4, is amended to  
3 read:

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

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

23           Sec. 11. Appropriation. The following funds are  
24 appropriated from the General Fund to carry out the  
25 purposes of this Act.

26		1985-86	1986-87
27	<u>EDUCATIONAL AND CULTURAL</u>		
28	<u>SERVICES, DEPARTMENT OF</u>		
29	Teacher Recognition Grants		
30	All Other	\$650,000	(\$300,000)

COMMITTEE AMENDMENT "**B**" to H.P. 1087, L.D. 1580

1 STATEMENT OF FACT

2 This amendment repeals and replaces the original  
3 bill with a proposal for 2 teacher recognition grants  
4 and then a per student incentive for school units to  
5 raise teacher compensation.

6 The primary purpose of this amendment is to en-  
7 hance teacher compensation while preserving the col-  
8 lective bargaining process at the local school admin-  
9 istrative unit level. It repeals the minimum salary  
10 scale in the present law. This schedule predates the  
11 introduction of collective bargaining in 1969 and  
12 should have been repealed at that time. By eliminat-  
13 ing the minimum in the laws and not replacing it with  
14 a new minimum, it officially places the responsibili-  
15 ty for setting teachers' salaries with the local  
16 school units where the decision to affect local prop-  
17 erty taxes should rest.

18 The amendment retains 2 teacher recognition  
19 grants to maintain the integrity of the legislative  
20 actions of the September 1984 special session. In the  
21 2nd year, it makes block grants available to school  
22 units of up to \$51.60 per student on an incentive ba-  
23 sis to encourage, but not require, the school units  
24 to raise teacher compensation in their units. In the  
25 3rd year, the grants are up to \$109.80 per student.  
26 By providing the incentive payments on a per student  
27 basis, these incentive block grants can be smoothly  
28 transitioned into the present School Finance Act for-  
29 mula in the 4th year. Shifting from block grants  
30 based on the number of teachers to a distribution  
31 based on numbers of students causes a shift in the  
32 distribution of aid which will result in some units  
33 receiving a windfall while others must increase local  
34 taxes to maintain the same level of funding.

35 The amendment also keeps within the original pro-  
36 jected appropriation of the special session. It rec-  
37 ognizes that additional money might be needed in the



COMMITTEE AMENDMENT "**B**" to H.P. 1087, L.D. 1580

1 first year to provide \$1,000 grants to all teachers,  
2 prorated for part-time teachers. The added cost above  
3 the appropriated \$13,500,00 is estimated to be  
4 \$600,000. In the 2nd and 3rd years, it keeps within  
5 the target budget of \$27,000,000. The cost in the 4th  
6 year will be incorporated into the School Finance Act  
7 and will equal the 2nd year costs of \$27,000,000 up-  
8 dated for one year's inflation. At 6%, this will be  
9 \$1,062,000.

10 The details of the amendment are as follows.

11 Section 1 repeals the existing minimum salary  
12 schedule in the law.

13 Sections 2 and 3 repeal the teacher recognition  
14 grant formula passed in the September 1984 special  
15 session and replace it with a formula for paying two  
16 recognition grants.

17 Section 4 amends the law to make the chief admin-  
18 istrative officer of the school responsible for re-  
19 porting to the commissioner and allows for the pay-  
20 ment of one teacher recognition grant.

21 Section 5 repeals and replaces the existing law  
22 on the relation of collective bargaining to the  
23 grants under this amendment. The teacher recognition  
24 grants are outside collective bargaining while dis-  
25 tribution of money from the block grants shall be de-  
26 termined by collective bargaining when bargaining  
27 agents are present.

28 Section 6 amends the section on intended appro-  
29 priations to require at least \$13,500,000 be appro-  
30 priated for the first recognition grant.

31 Sections 7 and 8 establish the method of payment  
32 for the recognition grants and block grants. The rec-  
33 ognition grants are covered in a previous section. In  
34 the 2nd year, the block grants shall be computed as  
35 the product of the number of students educated in the

COMMITTEE AMENDMENT "**B**" to H.P. 1087, L.D. 1580

1 unit times \$8.60 for each percentage point the unit  
2 increases the base pay for teachers above the previ-  
3 ous years base up to 6 percentage points or \$51.60.  
4 In the 3rd year, it shall be the product of the num-  
5 ber of students times \$18.30 for each percentage  
6 point up to a maximum of \$109.80 per student.

7 Section 9 repeals the Special Commission to Study  
8 the Implementation of Educational Reform established  
9 in the September 1984 session.

10 Section 10 establishes the formula for including  
11 the block grant allocations into the school finance  
12 formula. It limits the local share to what they would  
13 have paid without the grants and requires the in-  
14 crease in subsidizable costs associated with the  
15 grants to be paid out of General Fund revenues.

16 Section 11 adds an appropriation section. The  
17 first year's Teacher Recognition Grant costs \$800,000  
18 more than the \$13.5 million appropriated in the Gov-  
19 ernor's Part I Budget for the first fiscal year and  
20 \$27,000,000 for the 2nd fiscal year. In the Part II  
21 Budget an additional \$1,500,000 has been included for  
22 the first fiscal year and \$300,000 for the 2nd fiscal  
23 year. This amendment includes the full \$1,000 for  
24 each of 2 Teacher Recognition Grants. However, the  
25 block grants in the 2nd year are set at a level to  
26 keep the total cost within the \$27,000,000 allocated.  
27 Hence, the additional \$300,000 in the Part II Budget  
28 is deappropriated.

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