

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1810

S.P. 682

Received by the Secretary, May 6, 1991

Reference to the Committee on Education suggested and ordered printed.

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

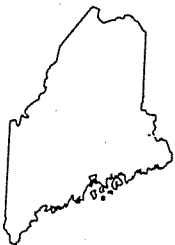
JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator McCORMICK of Kennebec

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Provide for the Orderly Transfer of Contracts from Union
Schools to Separate School Systems upon Dissolution.**



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

20-A MRSA §2101, sub-§3 is enacted to read:

3. Dissolution. Before a union school may dissolve, it shall comply with the following.

A. A union school shall develop and submit a plan to the commissioner for delivery of educational services in the union school. The plan must include:

(1) Provisions for assignment of all current teacher contracts to the appropriate school committee;

(2) Provisions for the continuation and assignment of collective bargaining agreements as they apply to the new school administrative units for the duration of those agreements and provisions for the continuation of representational rights; and

(3) A provision that no teacher may be required to have a break in service in the transfer from union school districts to the new school administrative units.

B. The plan developed in paragraph A must be submitted to the state board for approval. The state board may make necessary recommendations to the union school to ensure proper implementation of the plan.

STATEMENT OF FACT

The Maine Revised Statutes, Title 20-A, chapter 109 provides no guidance regarding the transfer of representative rights and assignment of teacher contracts. This bill addresses that situation. Without this bill teachers could be considered new employees in school systems with loss of seniority, sabbatical leave eligibility, continuing contract status and sick leave accumulation and could be required to pay Medicare.

This bill provides an orderly process for the assignment of teachers and protects collective bargaining rights.