

# MAINE STATE LEGISLATURE

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L.D. 1230

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DATE: 6/12/95

(Filing No. H- 441)

**LABOR**

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12 the House.

14 **STATE OF MAINE**  
16 **HOUSE OF REPRESENTATIVES**  
18 **117TH LEGISLATURE**  
20 **FIRST REGULAR SESSION**

22 COMMITTEE AMENDMENT "A" to H.P. 875, L.D. 1230, Bill, "An  
24 Act Concerning Educational Technicians"

26 Amend the bill by striking out everything after the title  
28 and before the statement of fact and inserting in its place the  
30 following:

32 **Mandate preamble.** This measure requires one or more local  
34 units of government to expand or modify activities so as to  
36 necessitate additional expenditures from local revenues but does  
38 not provide funding for at least 90% of those expenditures.  
40 Pursuant to the Constitution of Maine, Article IX, Section 21,  
42 two thirds of all of the members elected to each House have  
44 determined it necessary to enact this measure.

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

48 **Sec. 1. P&SL 1991, c. 26, §4 is enacted to read:**

Sec. 4. Professional qualifications of teacher aides and teacher  
assistants not recommended for promotion due to error on the part of a  
school administrative unit. A person employed as a teacher aide or  
teacher assistant prior to September 1, 1991 whose job function  
at the time was that of a level II or level III educational  
technician as described in State Board Rule 115, Part I, section  
14.2 (a) or 14.3 (a) and who was not recommended to be upgraded  
to the higher classification due to error on the part of a school  
administrative unit need not meet the educational preparation  
standards for those positions set forth in board rule sections  
14.2 (b) and 14.3 (b) and need not meet the September 1, 1991

2 deadline for reclassification. School administrative units shall  
3 submit requests for upgrades under this section to the Department  
4 of Education before July 1, 1996.'

6 Further amend the bill by inserting at the end before the  
7 statement of fact the following:

8 **FISCAL NOTE**

10 The additional costs to respond to certain reclassification  
11 requests can be absorbed by the Department of Education utilizing  
12 existing budgeted resources.

14 The additional costs that will be incurred by school  
15 administrative units as a result of the approval of any  
16 reclassification requests represent a state mandate pursuant to  
17 the Constitution of Maine. These costs will depend on how many  
18 appeals are successful, but are not expected to be significant.  
19 Pursuant to the Mandate Preamble, two-thirds vote of all members  
20 elected to each House exempts the State from the constitutional  
21 requirement to fund 90% of the additional local costs.'

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23  
24 **STATEMENT OF FACT**

26 This amendment allows the Department of Education to  
27 reclassify a person formerly in the position of teacher aide or  
28 teacher assistant to educational technician II or educational  
29 technician III if the employee was not recommended to be upgraded  
30 prior to the September 1, 1991 deadline due to error on the part  
31 of a school administrative unit. School administrative units  
32 must apply on behalf of their employees for the upgrade provided  
33 in this amendment by July 1, 1996. The amendment also adds a  
34 fiscal note to the bill and a mandate preamble.