

MAINE STATE LEGISLATURE

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AMS

L.D. 1344

DATE: 3-25-04

(Filing No. H-804)

Minority

EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
SECOND SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 990, L.D. 1344, Bill, "An Act To Give Teachers a Greater Voice in School Improvement"

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

'Sec. 1. 26 MRSA §965, sub-§1, ¶C, as enacted by PL 1969, c. 424, §1, is amended to read:

C. To confer and negotiate in good faith with respect to wages, hours, working conditions and contract grievance arbitration, except that by such obligation neither party shall--be is compelled to agree to a proposal or be is required to make a concession and except that public employers of teachers shall meet and consult but not and may negotiate with respect to educational policies;--for. For the purpose of this paragraph, educational policies shall "educational policies" does not include wages, hours, working conditions or contract grievance arbitration.

Provisions of collective bargaining agreements that constitute, relate to, affect or concern "educational policies" are valid and enforceable for the term of the agreement and are subject to the grievance and arbitration procedures of the agreement unless expressly excluded from the grievance or arbitration procedures;

COMMITTEE AMENDMENT

SUMMARY

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This amendment is the minority report of the Joint Standing
4 Committee on Education and Cultural Affairs. The amendment
strikes and replaces the bill and, like the bill, states that
6 school boards and bargaining agents for teachers may negotiate
certain "educational policies" and clarifies that school boards
8 and bargaining agents are neither prohibited from nor required to
negotiate on these issues.

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The amendment also specifies that the provisions of
12 collective bargaining agreements that constitute, relate to,
affect or concern "educational policies" that are bargained and
14 agreed to are valid and enforceable for the term of the agreement
and are subject to the grievance and arbitration procedures of
16 the agreement unless expressly excluded from the grievance or
arbitration procedures.

FISCAL NOTE REQUIRED
(See attached)

**121st Maine Legislature
Office of Fiscal and Program Review**

LD 1344

An Act to Give Teachers a Greater Voice in School Improvement



LR 1568(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Minority Report

Fiscal Note

No fiscal impact.

Fiscal Detail and Notes

Because this legislation provides that the negotiation of certain educational policies is optional to school boards, there is no mandate to the local school units. Additional costs to local school units associated with grievance and arbitration procedures if certain educational policies are included in a collective bargaining agreement can be absorbed by the local school units utilizing existing budgeted resources.