

# MAINE STATE LEGISLATURE

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L.D. 1944

DATE: 4-7-04

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**EDUCATION AND CULTURAL AFFAIRS**

Reported by:

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**STATE OF MAINE  
SENATE  
121ST LEGISLATURE  
SECOND SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to S.P. 781, L.D. 1944, Bill, "An Act To Authorize Educational Technicians II in Winslow, China and Vassalboro"

Amend the bill by striking out the title and substituting the following:

**'An Act To Allow Upgrading of Educational Technicians'**

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

**'Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and**

**Whereas, due to error, a number of educational technicians who have been employed continuously in school units in the State since before September 1, 1991 and who were eligible to be upgraded to a higher classification were not upgraded; and**

**Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,**

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

2           Sec. 1. P&SL 1991, c. 26, §5 is enacted to read:

4           Sec. 5. Professional qualifications of teacher assistants and teacher  
6 associates not recommended for promotion due to error of school  
8 administrative unit. A person employed as a teacher assistant or  
10 teacher associate prior to September 1, 1991 whose job function  
12 at the time was that of a level II or level III educational  
14 technician as described in State Board of Education Rule 115,  
16 Part I who is, on the effective date of this section, employed as  
18 a level II or level III educational technician in the same school  
20 administrative unit with no break in service and who was not  
recommended to be upgraded to a higher classification due to  
error on the part of the school administrative unit need not meet  
the educational preparation standards for that position set forth  
in State Board of Education rule and need not meet the September  
1, 1991 deadline for reclassification. School administrative  
units shall submit requests and appropriate documentation for  
upgrades under this section to the Department of Education.

22           **Emergency clause.** In view of the emergency cited in the  
preamble, this Act takes effect when approved.'

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### SUMMARY

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28           This amendment strikes and replaces the bill and changes the  
30 bill title to clarify that the proposed extension of the time by  
32 which school administrative units may request upgrades to higher  
34 classifications for educational technicians who were employed  
before September 1, 1991 and who are otherwise eligible for  
upgrade under the provision of law enacted by Private and Special  
Law 1995, chapter 35 pertains to a person employed as a teacher  
assistant or as a teacher associate who was not recommended for  
promotion due to an error on the part of the school  
36 administrative unit. The amendment also adds an emergency  
preamble and emergency clause to the bill.

FISCAL NOTE REQUIRED  
(See attached)



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

**LD 1944**

**An Act to Authorize Educational Technicians II in Winslow, China and  
Vassalboro**

**LR 2857(02)**

**Fiscal Note for Bill as Amended by Committee Amendment 'A'  
Committee: Education and Cultural Affairs**

**Fiscal Note Required: Yes**

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**Fiscal Note**

Minor cost increase - General Fund

**Fiscal Detail and Notes**

Additional costs to the Department of Education to review the requests for upgrades can be absorbed utilizing existing budgeted resources.