

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 834

H.P. 633

House of Representatives, February 23, 2007

**Resolve, To Create a Study Commission To Review and Report on
the Possibility of Making All Public School Teachers in Maine
Employees of the State**

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative HOTHAM of Dixfield.
Cosponsored by Senator MILLS of Somerset and
Representative: TARDY of Newport, Senators: McCORMICK of Kennebec, PERRY of
Penobscot.

1 **Sec. 1. Commission established. Resolved:** That the Commission to Review
2 and Report on the Possibility of Making All Public School Teachers in Maine Employees
3 of the State, referred to in this resolve as "the commission," is established; and be it
4 further

5 **Sec. 2. Commission membership. Resolved:** That the commission consists of
6 13 members as follows:

7 1. Two members of the party holding the highest number of seats in the Senate,
8 appointed by the President of the Senate;

9 2. Two members of the party holding the 2nd highest number of seats in the Senate,
10 appointed by the Minority Leader of the Senate;

11 3. Two members of the party holding the highest number of seats in the House of
12 Representatives, appointed by the Speaker of the House;

13 4. Two members of the party holding the 2nd highest number of seats in the House of
14 Representatives, appointed by the Minority Leader of the House of Representatives;

15 5. Two educators, one appointed by the President of the Senate and one appointed by
16 the Speaker of the House;

17 6. One school administrator, appointed by the President of the Senate;

18 7. One school board member, appointed the Speaker of the House; and

19 8. The Commissioner of Education or the commissioner's designee as a nonvoting
20 member.

21 Appointments must be made to represent all geographic areas of the State as much as
22 possible; and be it further

23 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate
24 chair of the commission and the first-named House of Representatives member is the
25 House chair of the commission; and be it further

26 **Sec. 4. Appointments; convening of commission. Resolved:** That all
27 appointments must be made no later than 30 days following the effective date of this
28 resolve. The appointing authorities shall notify the Executive Director of the Legislative
29 Council once all appointments have been completed. Within 15 days after appointment
30 of all members, the chairs shall call and convene the first meeting of the commission,
31 which must be no later than 30 days after the appointment of all members is complete;
32 and be it further

33 **Sec. 5. Duties. Resolved:** That the commission shall examine the issues
34 surrounding making public school teachers in the State state workers, including, but not
35 limited to the following:

1 1. Creating parity in health care and retirement benefits between teachers in the State
2 and state workers;

3 2. Exploring the possibility of the State paying the salaries and benefits of teachers in
4 the State and identifying a source of dedicated funding for this purpose;

5 3. Creating parity in pay between teachers in the State and state workers with
6 consideration given to the cost-of-living difference;

7 4. Addressing the shortage of teachers in some geographic areas of the State for
8 some disciplines; and

9 5. Exploring the property tax savings resulting from teachers becoming state
10 workers; and be it further

11 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
12 necessary staffing services to the commission; and be it further

13 **Sec. 7. Compensation. Resolved:** That the legislative members of the
14 commission are entitled to receive the legislative per diem, as defined in the Maine
15 Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary
16 expenses related to their attendance at authorized meetings of the commission. Public
17 members not otherwise compensated by their employers or other entities that they
18 represent are entitled to receive reimbursement of necessary expenses and, upon a
19 demonstration of financial hardship, a per diem equal to the legislative per diem for their
20 attendance at authorized meetings of the commission; and be it further

21 **Sec. 8. Report. Resolved:** That, no later than January 15, 2009, the commission
22 shall submit a report that includes its findings and recommendations, including suggested
23 legislation, for presentation to the joint standing committee of the Legislature have
24 jurisdiction over education and cultural affairs. The joint standing committee of the
25 Legislature having jurisdiction over education and cultural affairs may introduce
26 legislation in the First Regular Session of the 124th Legislature to implement the
27 recommendations of the commission; and be it further

28 **Sec. 9. Extension. Resolved:** That, if the commission requires a limited
29 extension of time to complete its study and make its report, it may apply to the
30 Legislative Council, which may grant an extension; and be it further

31 **Sec. 10. Commission budget. Resolved:** That the chairs of the commission,
32 with assistance from the commission's staff, shall administer the commission's budget.
33 Within 10 days after its first meeting, the commission shall present a work plan and
34 proposed budget to the Legislative Council for its approval. The commission may not
35 incur expenses that would result in the commission's exceeding its approved budget.
36 Upon request from the commission, the Executive Director of the Legislative Council
37 shall promptly provide the commission chairs and staff with a status report on the
38 commission budget, expenditures incurred and paid and available funds.

SUMMARY

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2 This resolve establishes the Commission to Review and Report on the Possibility of
3 Making All Public School Teachers in Maine Employees of the State.