

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 816

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S.P. 185

In Senate, March 5, 2021

### **An Act To Improve Communication between School Boards and Educators by Requiring Notice of Discussion of Labor Matters**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator RAFFERTY of York.

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

2 **Sec. 1. 1 MRSA §405, sub-§6, ¶D**, as repealed and replaced by PL 1999, c. 144,  
3 §1, is amended to read:

4 D. Discussion of labor contracts and proposals and meetings between a public agency  
5 and its negotiators. The parties must be named before the body or agency may go into  
6 executive session. Negotiations between the representatives of a public employer and  
7 public employees may be open to the public if both parties agree to conduct  
8 negotiations in open sessions, except that negotiations between a school board and  
9 representatives of public employees regarding personnel matters may not be open to  
10 the public;

11 **Sec. 2. 1 MRSA §406**, as amended by PL 1987, c. 477, §4, is further amended to  
12 read:

13 **§406. Public notice**

14 Public notice ~~shall~~ must be given for all public proceedings as defined in section 402,  
15 if these proceedings are a meeting of a body or agency consisting of 3 or more persons.  
16 This notice ~~shall~~ must be given in ample time to allow public attendance and ~~shall~~ must be  
17 disseminated in a manner reasonably calculated to notify the general public in the  
18 jurisdiction served by the body or agency concerned. In the event of an emergency meeting,  
19 local representatives of the media ~~shall~~ must be notified of the meeting, whenever practical,  
20 the notification to include time and location, by the same or faster means used to notify the  
21 members of the agency conducting the public proceeding. Notwithstanding Title 26,  
22 section 965, subsection 1, paragraph B, for a meeting between a school board and  
23 representatives of public employees that is requested by a representative of the employees,  
24 the meeting must occur at a regularly scheduled school board meeting and public notice  
25 must be given at least 10 days prior to the meeting. If a representative of public employees  
26 makes a request for a meeting between the school board and representatives of the  
27 employees less than 10 days prior to a scheduled school board meeting, the meeting  
28 between members of a school board and representatives of the employees must be  
29 scheduled for the next regularly scheduled school board meeting.

30 **SUMMARY**

31 This bill requires that any meeting between a school board and representatives of public  
32 employees that is requested by representatives of the employees must occur at a regularly  
33 scheduled school board meeting and that public notice must be given at least 10 days prior  
34 to the school board meeting. The bill also provides that negotiations between a school  
35 board and representatives of public employees regarding personnel matters may not be  
36 open to the public and must be held in executive session. This is an exception to current  
37 law, which allows negotiations between the representatives of a public employer and public  
38 employees to be open to the public if both parties agree to conduct negotiations in open  
39 sessions.