

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2008 to June 13, 2009**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 12, 2009**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2009**

2. Study the issue of keeping housing units in proper repair, including examining the laws regarding warranty of habitability to see if there is a way to have the law work more simply to resolve both minor and major problems;

3. Study the issue of keeping tenants in their apartments in the event of a foreclosure;

4. Examine the current laws regarding evictions both in lease and tenancies at will to determine if consolidating those laws into one statutory scheme is feasible and to determine if some minimal standards should apply to lease tenancies;

5. Recommend changes to clarify and simplify the current law; and

6. Consider any other issues pertaining to landlord and tenant issues that it determines to be relevant; and be it further

**Sec. 5. Notice to Legislature. Resolved:** That the chair of the working group shall provide written notice of working group under section 1 meetings and copies of any minutes of meetings to members of the Joint Standing Committee on Legal and Veterans Affairs and the Office of Policy and Legal Analysis; and be it further

**Sec. 6. Report. Resolved:** That, no later than January 15, 2010, the working group under section 1 shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Joint Standing Committee on Legal and Veterans Affairs. The Joint Standing Committee on Legal and Veterans Affairs is authorized to introduce a bill related to the subject matter of the report to the Second Regular Session of the 124th Legislature upon receipt of the report.

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

Effective June 18, 2009.

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## CHAPTER 138

### H.P. 367 - L.D. 522

#### Resolve, To Establish the Study Commission Regarding Teachers' Compensation

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

**Whereas,** this resolve establishes the Study Commission Regarding Teachers' Compensation to study the issues confronting citizens of this State who

depend on the retention of a stable, experienced corps of professional teachers in this State's public schools to ensure that the State's public school students will acquire the knowledge and skills essential for college, career and citizenship in the 21st century; and

**Whereas,** the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; 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

**Sec. 1. Commission established. Resolved:** That the Study Commission Regarding Teachers' Compensation, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of 8 members appointed as follows:

1. Two Senators, one from each of the 2 political parties having the largest number of members in the Senate, appointed by the President of the Senate;

2. Three members of the House of Representatives, at least one from each of the 2 political parties having the largest number of members in the House, appointed by the Speaker of the House. In appointing members, the Speaker of the House shall consider geographic distribution;

3. One teacher recommended by the President of the Maine Education Association and appointed by the President of the Senate;

4. One superintendent or member of a school board of a school administrative unit, recommended by the President of the Maine School Boards Association and the President of the Maine School Superintendents Association and appointed by the President of the Senate; and

5. One public member holding a professional position outside of public education in human resources management and specializing in compensation, recommended by the Maine State Council of the Society for Human Resource Management and appointed by the Governor; and be it further

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

**Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify

the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after appointment of all members, the chairs shall call and convene the first meeting of the commission, which must be no later than July 1, 2009; and be it further

**Sec. 5. Duties. Resolved:** That the commission shall study all issues surrounding teachers' compensation, including salaries and benefits. In conducting its review, the commission shall undertake to examine:

1. The effects on teachers' salaries and benefits of the essential programs and services funding system for public education, including the elements of labor market adjustments, student-teacher ratios and a teachers' salary matrix, and alternatives thereto, including the feasibility of salary differentiations based upon differences in cost of living by region;

2. The effects on teachers' salaries of the minimum teachers' salary law and the existing system of state subsidies for substandard salaries;

3. The relationship between and among teachers' salaries and benefits in school administrative units, the amount and distribution of general purpose aid for local schools and amounts raised locally for the support of public schools;

4. The relationship between teachers' salaries and benefits in this State and in other states;

5. The relationship between teachers' salaries and benefits and salaries and benefits paid to practitioners in other comparable professions;

6. The effects of inflation on the real value of teachers' salaries and the minimum salary amount required by law;

7. Practices in other states that mandate payment of minimum salaries based on experience and education to all teachers and the costs and consequences;

8. Factors relating to the age, experience, recruitment, retention and mobility of the State's corps of professional teachers;

9. Alternatives to salary systems based on college credits or degrees earned and experience, including salary systems based on professional learning, teachers' performance or other factors;

10. Collective bargaining alternatives in determination of salaries and benefits at the local school administrative unit level; and

11. Any other factors that the commission considers relevant to teachers' compensation; and be it further

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

**Sec. 7. Information. Resolved:** That in the performance of its duties, the commission:

1. May request statistical data and other information from the Department of Education, the Department of Labor, the State Planning Office or other state agencies, which must provide such information in their possession; and

2. Must provide an opportunity for interested persons, organizations and members of the public to address and submit information to the commission; and be it further

**Sec. 8. Report. Resolved:** That, no later than December 1, 2009, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Education and Cultural Affairs. The Joint Standing Committee on Education and Cultural Affairs is authorized to introduce a bill related to the subject matter of the report to the Second Regular Session of the 124th Legislature upon receipt of the report.

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

Effective June 18, 2009.

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## CHAPTER 139

### S.P. 283 - L.D. 736

#### **Resolve, Directing the Department of Transportation To Secure Funding To Complete the Aroostook North-South Highway Project**

**Preamble. Whereas,** the Caribou and Presque Isle segments of the Aroostook North-South Highway have available and ready for use in construction over \$40,000,000 in federal funding through the provision of high priority project funding by the United States Congress since 2001; and

**Whereas,** the Governor executed an order in March 2009 directing the Department of Transportation to make the completion of these segments a priority, with construction of the Caribou segment to begin in 2010 and the Presque Isle segment to begin as soon as the approval of the Army Corps of Engineers is given; and

**Whereas,** the cities of Caribou and Presque Isle have unanimously resolved through their respective city councils to proceed with the construction of these segments; and

**Whereas,** through An Act To Secure Maine's Transportation Future, Public Law 2007, chapter 470,