

# MAINE STATE LEGISLATURE

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REP. JOHN N. DIAMOND  
CHAIRMAN

SEN. CHARLES P. PRAY  
VICE-CHAIRMAN



STATE OF MAINE  
LEGISLATIVE COUNCIL  
STATE HOUSE  
AUGUSTA, MAINE 04333

SEN. NANCY RANDALL CLARK  
SEN. BARBARA A. GILL  
SEN. THOMAS R. PERKINS  
SEN. PAUL E. VIOLETTE  
REP. LELAND C. DAVIS, JR.  
REP. MARTIN S. HAYDEN  
REP. JOHN L. MARTIN  
REP. THOMAS W. MURPHY, JR.

**LEGISLATIVE COUNCIL**

**MAY 7, 1985**

**MEETING SUMMARY**

(Approved and placed on  
file May 14, 1985.)

**CALL TO ORDER**

The meeting of the Legislative Council was called to order in the Council Chambers by the Chairman John N. Diamond at 10:40 a.m.

**ROLL CALL**

Senators: Sen. Clark, Sen. Gill, Sen. Perkins, Sen. Pray, Sen. Violette

Representatives: Rep. Davis, Rep. Diamond, Rep. Hayden, Rep. Martin, Rep. Murphy

**Legislative Officers:**

|                   |                                       |
|-------------------|---------------------------------------|
| Sally Diamond     | Legislative Administrative Director   |
| Catherine Atchley | Law Librarian                         |
| Richard Sawyer    | Assistant Legislative Finance Officer |
| Helen Ginder      | Director of Legislative Assistants    |
| David Silsby      | Legislative Research Director         |

**SECRETARY'S REPORT**

The minutes of the meeting of the Legislative Council on April 24, 1985, were approved and placed on file (Motion by Sen. Clark; second by Sen. Pray; unanimous).

**DIRECTOR'S REPORT**

No report.

REPORTS FROM COUNCIL COMMITTEES

Item #1: CSG/ERC '85 Legislative Steering Committee

Sen. Diamond, Senate Chair of the Steering Committee, reviewed the progress of planning for the Conference. He reported the Committee's recommendation that the Council authorize hiring a Director of Children's Programs to work under the supervision of Marcia Plavin and the Steering Committee and that \$1000 be authorized for this work.

Motion: That the recommendation to hire a children's coordinator for \$1,000 be approved. (Motion by Sen. Violette; second by Sen. Gill; unanimous).

The committee also recommended approval of contracts with Casco Bay Lines for the cruise planned and with Food Works for catering.

Motion: That the recommendation for contracts be approved. (Motion by Sen. Violette; second by Rep. Martin; unanimous)

Motion: That the committee be authorized to expend funds where necessary for the conference and that a report of those expenditures be given to the Council every month. (Motion by Sen. Pray; second by Sen. Clark; unanimous)

Motion: That the Steering Committee's report be accepted and placed on file. (Motion by Sen. Clark; second by Sen. Gill; unanimous)

OLD BUSINESS

None.

NEW BUSINESS

Item #1: Requests to Carry Over Bills:

Carryover bills were considered by the Legislative Council. The Council's action on these requests is included on the attached list.

Item #2: Grant Application to the National Conference of State Legislatures to Analyze the Problem of Teacher Recruitment and Retention in Maine

The Joint Standing Committee on Education requested Council approval to apply for the grant.

Motion: That the grant application be referred again to the committee for further consideration and that the proposal be withdrawn unless a majority of the Committee supported it. (Motion by Rep. Martin; second by Sen. Pray; motion carried 7 to 3)

Item #3: After Deadline Requests

After deadline requests were considered by the Legislative Council. The Council's action on these requests is included on the attached list.

Item #4: Request from N. Laurence Willey, Jr. for Consideration of Payment of Legal Fees.

Richard D. Violette, Jr., an attorney with the law firm of Ferris, Dearborn, and Willey appeared before the Council to request that the Council authorize payment of the legal fees incurred by N. Laurence Willey, Jr. for services to Citizens for Constitutional Apportionment, a group that opposed the Reapportionment enacted by the Legislature in 1983. Mr. Violette's request was based on the fact that the Legislature's payment to Maine Tomorrow for services rendered to defend the law suit included fees to Tony Buxton who was the intervenor for the State Democratic Party in the suit..

Motion: That the request be tabled until additional facts can be gathered to assist the Council's evaluation of the request. (Motion by Sen. Violette; second by Sen. Clark; unanimous)

**ADJOURNMENT**

The Legislative Council meeting was adjourned at 12:20 p.m. (Motion by Sen. Clark; second by Sen. Violette; unanimous).

LEGISLATIVE COUNCIL

ACTION ON REQUESTS TO CARRY OVER BILL  
TO THE SECOND REGULAR SESSION

MAY 7, 1988

| <u>Committee</u>                  | <u>L.D.#</u> | <u>Title</u>  | <u>Action</u> |
|-----------------------------------|--------------|---|---------------|
| State Government                  | 488          | An Act to Divest State<br>Money from Businesses<br>Investing in South Africa<br>and Namibia | Approved      |
| Aging, Retirement<br>and Veterans | 1246         | An Act to Recodify the<br>Maine State Retirement<br>System Laws.                            | Approved      |



STATE OF MAINE  
SENATE CHAMBER  
OFFICE OF THE PRESIDENT  
AUGUSTA, MAINE 04333

CHARLES P. PRAY  
PRESIDENT OF  
THE SENATE

April 30, 1985

Hon. John Diamond  
Chair  
Legislative Council  
State House  
Augusta, ME 04333

Dear Mr. Chairman:

Attached is a copy of a study request I received from Helen Ginder yesterday. I have signed the approval for this study, even though the procedures for such requests were not followed. I signed only due to the fact that the approval is due by today.

However, I would like to request that the study be placed on the agenda for the next Council meeting. At that time we can discuss the procedure for these requests, this particular request, and the Council can vote to accept or reject the study. Should a rejection vote result, we can withdraw the request.

I am concerned that the request did not reach me until the day of the deadline, that the prior review of the Legislative Administrative Director and the Legislative Council was not received, and with future study requests.

If you have any questions about this, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Charles P. Pray'.

Charles P. Pray  
President of the Senate

CPP/cc

CC. Sarah Diamond, Helen Ginder

A STUDY TO ANALYZE THE PROBLEM  
OF TEACHER RECRUITMENT AND RETENTION  
IN MAINE

Submitted by

Office of Legislative  
Assistants  
Maine State Legislature



State of Maine

Senate Chamber

Augusta, Maine 04333

April 29, 1985

Assemblywoman Mildred Barry Garvin  
Chair, NCSL Committee on Education and Labor  
National Conference of State Legislatures  
444 North Capitol Street, N.W., Suite 203  
Washington, D. C. 20001

Dear Ms. Garvin:

The undersigned enthusiastically endorse the attached grant application. As the summary and proposal indicate, the study will be of immeasurable value to the Maine Legislature as it continues to try to reform and resolve problems of delivery of quality education and opportunity to all Maine children. Essential to the resolution is excellence in teaching. Maine, along with many other states, has sought to improve the working conditions of our teachers. Recently enacted legislation markedly improved compensation for teachers. A commission was established of legislators and others to continue to work to explore other ways to enhance the profession and thereby the education of our children. Unfortunately, much of the essential information upon which we can base our decisions is absent or inadequate. Of particular interest are the factors outlined in this application. What motivates students to enter the teaching profession? What factors attract quality students? What professional enhancements will help us attract and retain the best?

We can be assured of a statistically valid and accurate study and report by the project director selected to prepare and supervise the report. A subcommittee of the Joint Standing Committee on Education of the Maine Legislature will work with the staff to direct the study. We look forward to the report which fortunately will be available for action at our next regular session of the Legislature in January.

  
Senator Charles P. Pray, ~~Pres.~~

  
Rep. John L. Martin, Speaker



3. Conduct a survey of individuals with teaching certificates. Individuals with certificates will be divided into three groups: those not presently employed as teachers, those in active teaching in the same school unit they were employed in last year, and a middle group of those who taught last year and have either moved to a new school unit or left teaching. Each group will be surveyed separately.

4. Conduct a survey of members of a sample of high school national honor societies to determine their attitudes toward teaching as a profession.

D. Expected outcomes

According to an ACIR analysis, Maine's tax capacity is low relative to other states while its tax effort is among the highest of all states. Salary and other policies to deal with recruitment and retention are expensive. The information from the analysis will allow teacher pay and other policies to be tailored to target tax dollars on the actual causes of the problem.

## STATEMENT OF THE PROBLEM

The three major themes of the federal Nation at Risk report and the Governor of Maine's Commission on the Status of Education in Maine were the recruitment and retention of high quality teachers, the perceived low salaries of teachers, and the issue of public accountability. The first two are often linked by the assertion that low salaries are a major cause of the recruitment and retention problem. The third issue is public accountability. Legislators and policy makers are increasingly aware of the public's interest in accountability and documented improvement in quality of education.

Maine passed an educational reform package in a special session of the legislature in the fall of 1984. The most costly element of the reform was the earmarking of \$13.5 million in additional state monies in the first year and \$27 million in the second year of this biennium to raise teacher salaries. The claim of the Governor's Commission and other proponents of the reform was that it was needed to correct the low salaries of teachers and that low salaries were the primary cause of the problem of recruiting and retaining teachers. The money was awarded in the first year for a general compensation stipend and the details of how it will be absorbed as an enhancement for regular salaries and to meet the long term aim of funding master teacher salaries, career ladders, extended school year for teachers or other programs for teacher recognition are still being developed.

A troubling aspect of the reform and the assertions supporting it, is the lack of documentation of the scope, character or cause of the retention and recruitment problem and specifically its relation to salary level. For the salary enhancement funds to have an impact on the long term aim of improving quality of education delivery, they have to relate to the underlying causes of the problem and be tailored to the specific needs of school units in Maine.

A legislative staff study\* indicates that the school year (10 month) earnings of teachers are low when compared to the full year (12 month) salaries of comparable professionals in other sectors of the economy. However, the analysis indicated that this appears to be particularly a problem with comparisons at the low and high ends of the scale and with the fact that teachers are not professionally employed during the summer. If salaries are related to the issue of recruitment and retention, it is still unclear as to whether the solution is a general salary increase or changes tailored to address the beginning

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\* Lars Rydell, Lock Kiermaier, and John Nickerson, Educational Reform and Tax Capacity: Prospects and Limits, presented at the American Educational Finance Association Meeting, Phoenix, Arizona 10-13, 1985.

salary for new teachers, the high salary to retain experienced teachers, or summer earnings opportunities.

There is anecdotal information and also some statistics from the Department of Education to indicate that the recruitment and retention issue is neither uniform among school units across the state nor uniform among areas of specialization. Selected school units are able to attract certified teachers to work as teachers aides and assistant teachers while others report turnover rates of 40%. Similarly, in discussions of the recruitment and retention problem, the examples typically center on selected specialty areas such as science, industrial arts, and special education. There is no systematic analysis of the variation in rates from one school system to another or one specialty area to another. There is also no documentation of whether the variation is related to salary level, or whether there are other factors which explain the difference.

#### STATEMENT OF WORK

The project will comprise three components. The first component will involve a review of the literature. The literature will be searched through the computerized ERIC system available through the Maine State Library and reviewed by project staff and Legislators on the study oversight panel.

Concomitant with the literature search, a statistical analysis of the scope of the problem and available pool of teachers will be carried out. This will first use available records from the Maine Department of Education. Additional information will be gathered from the 250 individual school units and from public and private universities and colleges in the state. The information will be collected in a manner to document the problems of supply and demand in different areas of the state for teachers in various specialty areas and the problem of retaining experienced teachers. The data will include: the number of job openings due to resignations and the development of new positions by specialty area; the number of teachers moving from one school unit to another; the number of individuals graduating from teacher training programs each year; and the number of certified teachers not presently employed as teachers.

The third component will survey certified teachers, students in teacher education programs, and high school students in the top of their class (National Honor Society). In the first phase of the surveys, questionnaires will be developed to assess the importance of the factors revealed in the literature search. These will be tailored to each of the subgroups surveyed. As presently conceptualized they will be divided into two theoretical categories satisfiers or attractors on the one side and dissatisfiers or detractors on

the other. Each of these will be further subdivided into personal interests of the individual, structural aspects of the school administration and teaching environment and finally the influence of family and community environment. Specifically, they will include factors like the individuals' personal interest in working with children or students, administrative style and structure of the school, opportunities for professional growth and development, student discipline, earnings, vacations and other benefit levels, family needs, cultural or recreational opportunities in their community.

#### RESEARCH METHOD

The research methods utilized will include a search of the literature using computerized bibliographies, secondary analysis of available statistics, and a mailed questionnaire to teachers and selected students. The Office of Legislative Assistants has a data file on beginning salary levels for all school units in the state. The Department of Education has data on the numbers of teachers by specialty areas, the numbers of certified teachers both employed and not employed as teachers, and for the past 5 years information on job openings by specialty area. These various data files will be combined to allow for a computation of turnover rates and a cross association of salary levels and teacher turnover.

The surveys will rely on mailed questionnaires. The questionnaires will be anonymous with separate post cards included to keep track of returns to allow for followup of non respondents. The specific items to be included will be determined from the literature search and cover the categorical areas described in the preceding section. Both closed and open-ended questions will be used. The closed questions will be analyzed statistically and the open questions will be subjected to a content analysis for statistical purposes and to a qualitative analysis to capture a more personal dimension of the recruitment and retention issue and to assess new areas of influence of students' and teachers' decisions not covered in the existing literature.

The sampling techniques used will vary depending on the group sampled. The high school students will be sampled by drawing a random sample of high schools stratified by school size. Within each school selected, the total membership of the honor society will be surveyed. The sample of university students will include a sample of 4 private and 4 public campuses. Within each campus a random sample of students majoring in teacher education or enrolled in courses for teacher certification will be taken. If lists of students are available, the sampling will be based on random selection techniques. If there is no complete listing, students will be selected from those attending a random selection of education courses.

The samples of certified teachers will be selected from the roles of individuals holding Maine teaching certificates. These will include both those individuals presently employed as teachers and those not employed as teachers. The department files can separate the two groups allowing a separate sample to be drawn from each group. In addition, those teachers who moved from one school system to another in the past year can be distinguished from those who remained in the same school unit. This will allow for separate random samples to be drawn of each of these groups.

The samples will be randomly selected hence allowing for the use of statistical tests of significance to assess the associations found among variables in a particular sample or among samples on particular questions. Much of the data will be nominal and ordinal in nature. The analysis will therefore rely heavily on cross tabulations and chi square tests of statistical significance. However, where possible, as with the association between turnover rates and interval level, salary data correlations will be used to assess whether predictive models could be developed to determine the impact of salary policy on retention rates.

#### LEGISLATIVE OVERSIGHT

Legislators from the Education Committee will act as an oversight panel for the study. They will meet four times during the formative stages of the study to examine the literature review and items selected to be on the questionnaire. During the analysis phase they will meet once to review the preliminary findings and guide the direction of the further analysis. Finally, they will meet again to develop policy recommendations for the state and local school units with the aim of developing an experienced teacher workforce in all parts of the state.

The report of the final analyses and policy recommendations will be distributed to the Legislature. Additional issue briefs or articles will be developed based on the results of the study.

#### DESIGNATION OF PERSONNEL

Oversight Panel from Joint Standing Committee on Education  
(to be appointed)

Helen T. Ginder, Director  
Office of Legislative Assistants

Lars H. Rydell  
Legislative Assistant/Policy Analyst  
Designated Project Director for proposed study  
responsible for preparation and supervision.

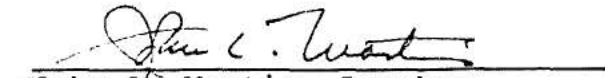
TIMETABLE FOR STUDY

|  | JUNE  | JULY  | AUGUST | SEPT. | OCT.  | NOV. | DEC.  | JAN. | FEB. | MAR. | APR. | MAY | JUNE |
|--|-------|-------|--------|-------|-------|------|-------|------|------|------|------|-----|------|
| LITERATURE SEARCH                            | ----- |       |        |       |       |      |       |      |      |      |      |     |      |
| QUESTIONNAIRE DEVELOPMENT                    |       |       | -----  |       |       |      |       |      |      |      |      |     |      |
| SAMPLE SELECTION                             |       |       | -----  |       |       |      |       |      |      |      |      |     |      |
| QUESTIONNAIRE ANALYSIS                       |       |       |        |       | ----- |      |       |      |      |      |      |     |      |
| POLICY DEVELOPMENT                           |       |       |        |       |       |      | ----- |      |      |      |      |     |      |
| STATISTICAL ANALYSIS OF<br>SECONDARY SOURCES |       | ----- |        |       |       |      |       |      |      |      |      |     |      |
| LEGISLATIVE OVERSIGHT<br>MEETINGS            | X     | X     | X      | X     |       | X    | X     |      |      |      |      |     |      |
| REPORTS                                      |       |       |        |       |       |      |       |      |      |      |      |     |      |
| INTERIM PROGRESS REPORT                      |       |       |        | X     |       |      |       |      |      |      |      |     |      |
| FINAL REPORT                                 |       |       |        |       |       |      |       | X    |      |      |      |     |      |
| FOLLOW UP REPORT                             |       |       |        |       |       |      |       |      |      |      |      | X   |      |

AGREEMENT

Senator Charles P. Pray, President, and Representative John L. Martin, Speaker, hereby agree as endorsers of this grant proposal that acceptance of a NCSL - NIE Cost-Sharing Award will result in a published study report including appropriate recommendations submitted to the Legislature; that the report will be available for distribution to other state legislatures by NCSL or the National Institute of Education; and the report will be public information.

  
Charles P. Pray, President

  
John L. Martin, Speaker

MAINE  
PROJECT BUDGET

|  | NCSL   | State Cash | State In-kind To |
|--|--------|------------|------------------|
| Budget Line Items                                  |        |            |                  |
| Survey postage and<br>supplies                     | \$1800 |            |                  |
| Computer services                                  |        |            | (?)              |
| Salaries   |        |            |                  |
| Project Director                                   |        |            | \$3750           |
| Research Assistant-<br>Graduate student<br>Stipend | \$4500 |            |                  |
| Secretary  |        |            | \$1000           |
| Legislative panel<br>Travel-per deim               |        | \$3000     |                  |
| Printing   | \$ 500 | 500        |                  |
| Total  | \$6800 | \$3500     | \$4750           |

FERRIS, DEARBORN & WILLEY

COUNSELORS AT LAW

JOSEPH L. FERRIS  
JOEL A. DEARBORN  
N. LAURENCE WILLEY, JR.

RICHARD D. VIOLETTE, JR.

120 NORTH MAIN STREET  
P. O. BOX H  
BREWER, MAINE 04412  
TELEPHONE 207 989-3366

December 12, 1984

COPY

John Diamond  
House Majority Leader  
State House  
Augusta, Maine 04333

RE: Citizens for Constitutional Apportionment (CCA)

Dear John:

I am inquiring whether you could help us on a problem regarding the fee issue in the above case. As you know, CCA challenged the 1983 reapportionment before the Maine Supreme Court. The case was defended by the Attorney General's office under the direction of Bill Stokes. Intervenors in the case were "Ed Kelleher and the Maine State Democratic Party, Barry Hobbins, Chairman". They were represented by Tony Buxton. It has recently come to my attention that the State paid Tony's fee in the amount of \$10,500. We believe it is only fair and proper as a result that CCA receive the same consideration and payment of its legal fee for that amount by the State. If this can be arranged I would ask for your assistance in that regard. If a Resolution is needed, I request that the attached Resolve be introduced before cloture.

I hope that we can reach a resolution of this matter soon. I look forward to hearing from you.

Sincerely,

N. Laurence Willey, Jr.

NLWJr./sc  
Enclosure

cc: CCA Officers  
Legislative Council  
Sen. John Baldacci  
Sen. Mary Ellen Maybury  
Rep. Kay Lebowitz  
Rep. Pat Stevens  
Tony Buxton, Esq.  
Bill Stokes, Esq.

