

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the amendment in Part XXXX in section 13 in §1463 in subsection 4 in the first paragraph by striking out all of the last underlined sentence (page 756, lines 44 and 45 and page 757, lines 1 to 3 in amendment)

Amend the amendment in Part XXXX in section 13 by striking out all of §1464 and inserting the following:

**‘§ 1464. Assumption of obligations, duties, liabilities and rights**

On the operational date established pursuant to section 1463, subsection 1, the regional school unit board of directors shall assume all of the obligations, duties, liabilities and rights of the participating school administrative units for all purposes under Title 26, chapter 9-A. The regional school unit is considered a single employer. Notwithstanding any other provision of law, the responsibilities of the regional school unit include:

**1. Continued recognition of bargaining agent.** Continued recognition of all bargaining agents that represented any bargaining units of employees who were employed by a participating school administrative unit, pending completion of merger proceedings described in this section;

**2. Assumption and observance of agreements.** Assumption and continued observance of all collective bargaining agreements between such bargaining agents and a participating school administrative unit, which agreements continue in effect for the remainder of their unexpired terms unless the bargaining agent and regional school unit mutually agree otherwise; and

**3. Collective bargaining.** Collective bargaining for an initial or successor collective bargaining agreement in any bargaining unit in which a collective bargaining agreement is not in effect on the operational date and for any interim agreement that may be required to align expiration dates in a regional school unit-wide bargaining unit, as described in this section.’

Amend the amendment in Part XXXX in section 42 in subsection 5 in the first paragraph by striking out all of the last sentence (page 802, lines 34 to 37 in amendment)

Amend the amendment in Part XXXX in section 42 by striking out all of subsection 6 and inserting the following:

**‘6. Collective bargaining.** On July 1, 2008 for regional school units approved prior to January 16, 2008 and on July 1, 2009 for regional school units approved after January 15, 2008 and before November 5, 2008, the regional school unit board of directors shall assume all of the obligations, duties, liabilities and rights of the participating school administrative units for all purposes under Title 26, chapter 9-A. The regional school unit is considered a single employer. Notwithstanding any other provision of law, the responsibilities of the regional school unit include:

A. Continued recognition of all bargaining agents that represented any bargaining units of employees who were employed by a participating school administrative unit;

B. Assumption and continued observance of all collective bargaining agreements between such bargaining agents and a participating school administrative unit, which agreements continue in effect for the remainder of their unexpired term unless the bargaining agent and regional school unit mutually agree otherwise; and

C. Collective bargaining for an initial or successor collective bargaining agreement in any bargaining unit in which a collective bargaining agreement is not in effect on the operational date.

### **SUMMARY**

This amendment deletes the requirement for the merger of local collective bargaining units. It also removes the requirement for the regional school unit to maintain and honor any pension or retirement agreements created by a school administrative unit that is dissolved.

### **FISCAL NOTE REQUIRED** **(See attached)**