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EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE HOUSE OF REPRESENTATIVES 128TH LEGISLATURE SECOND REGULAR SESSION

COMMITTEE AMENDMENT “ ” to H.P. 930, L.D. 1336, Bill, “An Act To Amend the Laws Governing the Process for a Single Municipality To Withdraw from a Regional School Unit”

Amend the bill in section 1 in subsection 4 in paragraph A by striking out all of the 2nd blocked paragraph (page 1, lines 31 to 35 in L.D.) and inserting the following:

'If the parties fail to enter into an agreement within 180 days after the withdrawal committee is formed, the withdrawal committee by majority vote may petition the commissioner to order mediation between the parties, the cost of which the mediator shall assign between the parties. If the parties fail to enter into an agreement within 90 days after the commissioner orders mediation, the withdrawal committee by majority vote may petition the commissioner to order binding mediation between the parties, the cost of which the mediator shall assign between the parties. The decision reached through mediation or binding mediation must be submitted to the commissioner for approval.'

Amend the bill by inserting after section 1 the following:

'Sec. 2. 20-A MRSA §1466, sub-§5, ¶A, as enacted by PL 2009, c. 580, §9, is amended to read:

A. The commissioner shall determine the date upon which the voters of the petitioning municipality must vote upon the agreement submitted to them. The election must be held as soon as practicable, and the commissioner shall attempt to set the date of the vote to coincide with a statewide election, except that the election must be held before November 30th of the year prior to the proposed first year of operation of the schools of the petitioning municipality.'

SUMMARY

This amendment changes the bill’s proposal to allow the withdrawal committee of a municipality petitioning to withdraw from a regional school unit to petition the Commissioner of Education to order binding mediation between the parties if they fail to

1 enter into an agreement within 180 days after the formation of the withdrawal committee.
2 The amendment instead allows the withdrawal committee to petition the commissioner to
3 order mediation between the parties if they fail to enter into an agreement within 180
4 days. If the parties fail to enter into an agreement within 90 days after the commissioner
5 orders mediation, the withdrawal committee may petition the commissioner to order
6 binding mediation between the parties.

7 The amendment also provides that the referendum vote to approve the proposed
8 agreement of withdrawal must be held before November 30th of the year prior to the
9 proposed first year of operation of the schools of the petitioning municipality.