

MAINE STATE LEGISLATURE

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OFFICE OF THE GOVERNOR

about saying that the best boots in the world are made in the Lewiston area. People will take umbrage at that. She should say the best special boots because, of course, L.L. Bean has the best boots in the world. Be very careful. Secondly, I'm wearing a purple tie and she is wearing a purple outfit. She was just honored yesterday as a champion of Alzheimer efforts. We should be pleased with that. One of the big things that were talked about was the lack of research. We put very little money, very little compared to Parkinson's or cancer, which are not the threat Alzheimer is and will be. If there is any way, a small amount of money so somebody in Maine can begin or continue to work on the whole issue of dementia would be worth millions to the people who are going to cost us millions in the future if we don't do something about this dreadful disease. Thank you, Mr. President.

29 May 2012

The 125th Legislature of the State of Maine State House
Augusta, ME

Dear Honorable Members of the 125th Legislature:

In accordance with Article 4, Part 3, Section 2, of the Constitution, the vote was taken by the Yeas and Nays.

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1781, "An Act to Restructure the National Board Certification Program for Teachers."

A vote of yes was in favor of the Bill.

I am not vetoing this bill because I disagree with the benefits of National Board Certification. Rather, I am vetoing it because it is a band-aid to a problem - the need for highly qualified teachers—requiring a larger more coordinated state-wide solution. Moreover, this bill requires teachers to partially fund the program, while simultaneously paying union dues which are squandered on a host of activities not even remotely related to professional development.

A vote of no was in favor of sustaining the veto of the Governor.

The Doorkeepers secured the Chamber.

Research clearly demonstrates the single most important single factor in student progress is an effective teacher. Over the last year, I have repeatedly challenged the largest organization of teachers in the state - the Maine Education Association— to refocus its efforts on improving teacher effectiveness. Unfortunately, the union bosses have declined my offer matching dollar-for-dollar any union increase in funding towards improving the profession of teaching.

The Secretary opened the vote.

ROLL CALL (#509)

YEAS: Senators: ALFOND, BARTLETT, BRANNIGAN, COLLINS, COURTNEY, CRAVEN, DIAMOND, DILL, FARNHAM, GERZOFKY, GOODALL, HASTINGS, HILL, HOBBS, JACKSON, JOHNSON, KATZ, LANGLEY, MARTIN, MCCORMICK, PATRICK, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SULLIVAN, WOODBURY, THE PRESIDENT - KEVIN L. RAYE

In fact, just days ago - the executive director of the union stated "[m]aking sure we have highly skilled work force is the job of the employer ... In this case, the people who fund this are the local school districts and the state." That is not an acceptable answer from the largest organization of teachers in the State.

NAYS: Senators: MASON, PLOWMAN, SNOWE-MELLO, THIBODEAU, THOMAS, WHITTEMORE

Yet, the union refuses to focus on improving teacher quality. Instead of better educating educators, the union is suing the State to block release of insurance data that would decrease the overhead cost of education. Instead of looking for new ways to inform teachers on the latest pedagogical techniques, the union is participating in political campaigns and lobbying efforts with nothing to do with education. Instead of working towards ensuring that every Maine student has a quality teacher in the front of the classroom, the union is focused on providing golf and skiing discounts.

29 Senators having voted in the affirmative and 6 Senators having voted in the negative, and 29 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

Worse yet, this program would require the teachers themselves to partially fund the program. Rather than fund this new program on the backs of teachers, I propose eliminating teacher certification fees and working with the MEA to refocus its efforts on professional development of teachers not the pet political projects of union bosses. Maine teachers are undercompensated. We should be lowering the cost of being a teacher while providing the best professional development opportunities possible.

Senate at Ease.

Senate called to order by the President.

The Following Communication: S.C. 846

Unfortunately, this bill would simply provide a false victory and an excuse to not take on real substantive reforms resulting in better teachers in the classroom. I believe that we - the state, the local

STATE OF MAINE
125TH MAINE LEGISLATURE

districts, superintendents, parents, and yes, the teacher union — must all work together for what is best for the student.

For these reasons, I am returning LD 1781 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act To Restructure the National Board Certification Program for Teachers

S.P. 618 L.D. 1781

The President laid before the Senate the following: "Shall this Bill become a law notwithstanding the objections of the Governor?"

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Langley.

Senator **LANGLEY:** Thank you Mr. President. Men and women of the Senate, I rise today on this issue and would like to say that yesterday, and even as early as this morning, I was inclined to vote to sustain this veto. The ride down, an hour and forty minutes, gives you some time for legislators to process and fully work over the issues as we come into work every day. I started thinking about how we are going to be able to reach the common goal of increasing teacher quality in Maine. I know that in the letter from the Administration they have challenged the MEA to focus on teacher effectiveness. This bill that is before us is about the National Board Certification for teachers, which does improve teacher quality, and has done so. The issue has been whether we're all pulling in the same direction towards teacher quality. I feel at the moment we're kind of at loggerheads between what the Administration has for its goals and the MEA as well. The MEA has committed to me this morning to come to the table for honest discussions regarding the role of teacher effectiveness. It is my position that we do have to move forward, we have to work together, and we have to put the best interest of our children first. This means that all sides have to come to the table with an open mind to the possibilities. I like to think of things in a positive light. I understand the reason for the veto; that is to bring people to the table to continue these talks and to have people come for open and honest discussions. I would like to be on record today to encourage you to override this veto, at great personal loss to myself, and then continue to commit to the conversations, to continue to work at building those relationships between our teaching profession and administration, and to commit to look for common ground. I'd like to think we could do this in a positive way. I negotiated a couple of teachers' contracts myself in my district when I was teaching school. We worked very diligently in the last two that I sat on for win-win negotiating. Come to the table, put your thoughts out there, and look for that common ground in order to make things better. I know that conversations have occurred between the Administration and the MEA. I know that the second floor feels that there has been no progress. I'm not willing to give up yet and I know there is commitment from

others in here that serve on the Education Committee, as well as others who are very committed to improving education in the state of Maine. I think it's time that we maybe put aside some of our personal feelings that have come up along the way, as often happens in negotiations, and sit down and try to make this a better place. The vehicle by which this message has been delivered, I don't know if it's the right one with the National Board Certification. I'm committed wholeheartedly, as I have been throughout a 30 year career of teaching, to improving teacher effectiveness. I have been a mentor. I have been a steering committee chair for recertification in my school district. I'm proud to serve with a group of teachers that were very committed to helping improve teacher effectiveness and teacher quality in my district. This is a tough place to be. Yesterday I felt that we could sustain this veto. We could come back and talk about the National Board Certification. That is sort of the vehicle by which the real discussion has to happen here. That is about overall improving the teacher quality and doing it together, doing it between the Administration, the Department of Education, and our folks that work in the profession. It is a difficult position to be in, to vote to override a veto. I don't do it with any relish or any pleasure, and certainly a fair amount of criticism will come my way. I'd like to think we could do things in a positive way. I'd like to continue to help work on that and to be involved with that so that at the end of the day everybody is pulling the wagon in the same direction. Thank you very much for your patience.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Alfond.

Senator **ALFOND:** Thank you Mr. President. Ladies and gentlemen of the Senate, I first want to thank the good Chair from Hancock, Senator Langley, not only for his support of L.D. 1781 and for the whole process, but also for his message today about having a positive outlook of a situation that I think most of us didn't think we'd be here talking about. I think when you look around this room, I don't see anyone in this room that doesn't believe that every child deserves the most effective teacher in the classroom. I think every single one in this room believes that wholeheartedly and wants that. Supporting the National Board Certificate Program today strengthens that desire, to have the most effective teachers in the classroom. The National Board is considered the gold standard of teaching professional development. We all know that the most effective teachers are lifelong learners. That, in itself as far as teachers going after something around the National Board, is something that I can support and I'm hoping that the Body can support today. The program, as you all know, is challenging. It's rigorous. It usually takes three years. It's hundreds of hours. Peer review. Every step of the way a teacher is putting themselves out there, asking the question, "How do I become a better and more effective teacher in the classroom for my students and for the community that I work for?" A piece that might not be known in this Body is that this stipend and this scholarship will be for public school teachers and our private town academies. We made sure that we included all teachers in this program because it's important. It's important that all teachers have this opportunity to strengthen their profession and to be the most effective teacher in the classroom. The good Chair of Education from Hancock talked about the differences between the MEA and the Chief Executive. I'm not going to get into that. I think the letter got into some of the issues. The bigger picture here is that the Commissioner of

Education has put forth a very, very ambitious strategic plan. If the teachers of the state of Maine don't feel that he has their back, that we don't have their back, I think that plan is going to be a lot harder to try to implement. I'm urging the Body to please override this veto and let's get back to ensuring that we have the best teachers in the classroom. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Hastings.

Senator **HASTINGS:** Thank you Mr. President. Ladies and gentlemen of the Senate, I'll be brief because my point has been made by the Cumberland, Senator Alfond. National Board Certification is, as the Senator indicates, the gold standard. We've only got about 215 of these in the state of Maine. It's a hugely rigorous program. I have been concerned, since the program was instituted, that it only allowed the stipend to be paid to those teachers who have the National Board Certification to teach in public schools. This has disqualified those teachers that teach in our town academies, the so-called publically supported secondary schools which have more than 60% of their enrollment made up of publically supported students. We have about 14 of them and they are some of our finest educational institutions in Maine. They do a fine job. I wholeheartedly support this bill for recognizing the importance of our National Board certified teachers at the town academies and I also urge that this Body vote to override the veto. Thank you.

In accordance with Article 4, Part 3, Section 2, of the Constitution, the vote was taken by the Yeas and Nays.

A vote of yes was in favor of the Bill.

A vote of no was in favor of sustaining the veto of the Governor.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#510)

YEAS: Senators: ALFOND, BARTLETT, BRANNIGAN, COLLINS, CRAVEN, DIAMOND, DILL, FARNHAM, GERZOFISKY, GOODALL, HASTINGS, HILL, HOBBSINS, JACKSON, JOHNSON, KATZ, LANGLEY, MCCORMICK, PATRICK, RECTOR, ROSEN, SAVIELLO, SCHNEIDER, SHERMAN, SULLIVAN, WOODBURY

NAYS: Senators: COURTNEY, MARTIN, MASON, PLOWMAN, SNOWE-MELLO, THIBODEAU, THOMAS, WHITTEMORE, THE PRESIDENT - KEVIN L. RAYE

26 Senators having voted in the affirmative and 9 Senators having voted in the negative, and 26 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

Under suspension of the Rules, ordered sent down forthwith for concurrence.

ORDERS

Joint Resolution

On motion by Senator **KATZ** of Kennebec (Cosponsored by Senators: ALFOND of Cumberland, BARTLETT of Cumberland, BRANNIGAN of Cumberland, COLLINS of York, COURTNEY of York, CRAVEN of Androscoggin, DIAMOND of Cumberland, DILL of Cumberland, FARNHAM of Penobscot, GERZOFISKY of Cumberland, GOODALL of Sagadahoc, HASTINGS of Oxford, HILL of York, HOBBSINS of York, JACKSON of Aroostook, JOHNSON of Lincoln, LANGLEY of Hancock, MARTIN of Kennebec, MASON of Androscoggin, McCORMICK of Kennebec, PATRICK of Oxford, PLOWMAN of Penobscot, President RAYE of Washington, RECTOR of Knox, ROSEN of Hancock, SAVIELLO of Franklin, SCHNEIDER of Penobscot, SHERMAN of Aroostook, SNOWE-MELLO of Androscoggin, SULLIVAN of York, THIBODEAU of Waldo, THOMAS of Somerset, WHITTEMORE of Somerset, WOODBURY of Cumberland, Representatives: AYOTTE of Caswell, BEAUDOIN of Biddeford, BEAULIEU of Auburn, BEAVERS of South Berwick, BECK of Waterville, BELIVEAU of Kittery, BENNETT of Kennebunk, BERRY of Bowdoinham, BICKFORD of Auburn, BLACK of Wilton, BLODGETT of Augusta, BOLAND of Sanford, BOLDUC of Auburn, BRIGGS of Mexico, BRYANT of Windham, BURNS of Whiting, CAIN of Orono, CAREY of Lewiston, CASAVANT of Biddeford, CEBRA of Naples, CELLI of Brewer, CHAPMAN of Brooksville, CHASE of Wells, CHIPMAN of Portland, CLARK of Millinocket, CLARK of Easton, CLARKE of Bath, CORNELL du HOUX of Brunswick, COTTA of China, CRAFTS of Lisbon, CRAY of Palmyra, CROCKETT of Bethel, CURTIS of Madison, CUSHING of Hampden, DAMON of Bangor, DAVIS of Sangerville, DILL of Old Town, DION of Portland, DOW of Waldoboro, DRISCOLL of Westbrook, DUCHESNE of Hudson, DUNPHY of Embden, EBERLE of South Portland, EDGECOMB of Caribou, ESPLING of New Gloucester, EVES of North Berwick, FITTS of Pittsfield, FITZPATRICK of Houlton, FLEMINGS of Bar Harbor, FLOOD of Winthrop, FOSSEL of Alna, FOSTER of Augusta, FREDETTE of Newport, GIFFORD of Lincoln, GILBERT of Jay, GILLWAY of Searsport, GOODE of Bangor, GRAHAM of North Yarmouth, GUERIN of Glenburn, HAMPER of Oxford, HANLEY of Gardiner, HARLOW of Portland, HARMON of Palermo, HARVELL of Farmington, HASKELL of Portland, HAYES of Buckfield, HERBIG of Belfast, HINCK of Portland, HOGAN of Old Orchard Beach, HUNT of Buxton, INNES of Yarmouth, JOHNSON of Eddington, JOHNSON of Greenville, KENT of Woolwich, KESCHL of Belgrade, KNAPP of Gorham, KNIGHT of Livermore Falls, KRUGER of Thomaston, KUMIEGA of Deer Isle, LAJOIE of Lewiston, LIBBY of Waterboro, LONG of Sherman, LONGSTAFF of Waterville, LOVEJOY of Portland, LUCHINI of Ellsworth, MacDONALD of Boothbay, MAKER of Calais, MALABY of Hancock, MALONEY of Augusta, MARTIN of Eagle Lake, MAZUREK of Rockland, McCABE of Skowhegan, McCLELLAN of Raymond, McFADDEN of Dennysville, McKANE of Newcastle, MITCHELL of the Penobscot Nation, MONAGHAN-DERRIG of Cape Elizabeth, MORISSETTE of Winslow, MORRISON of South Portland, MOULTON of York, NASS of Acton, NELSON of Falmouth, NEWENDYKE of Litchfield, Speaker NUTTING of Oakland, O'BRIEN of Lincolnville,