

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
114TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1613, L.D. 2230, Bill, "An Act to Clarify the Negotiability of Sabbatical Leave Agreements"

Amend the bill by striking out all of section 1 and inserting in its place the following:

'Sec. 1. 20-A MRSA §13604, as enacted by PL 1981, c. 693, §§5 and 8, is repealed and the following enacted in its place:

§13604. Leaves of absence

1. Leaves of absence granted by school board. To increase the efficiency of the public schools and to permit teachers, principals or other persons to pursue a further course of study or to travel to be better qualified by education and culture for the position they hold in the schools, a school board may grant a leave of absence to any teacher, principal or other person regularly employed by the school board.

2. Maximum length; years of service. A leave of absence may not exceed one year and may be granted only after 7 years of service.

3. Other terms and conditions. All other terms and conditions of a leave of absence, including, but not limited to, compensation during a leave of absence, may be determined by a collective bargaining agreement negotiated under Title 26, chapter 9-A. In the absence of or to the extent not inconsistent with any applicable collective bargaining agreement, the school board may establish these terms and conditions.'

Further amend the bill by inserting at the end before the statement of fact the following:

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**FISCAL NOTE**

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6 This bill removes the limit on compensation paid to teachers  
8 on sabbatical leave, currently set at half pay and allows school  
10 boards or collective bargaining agreements to set the  
12 compensation. This could result in additional salary expenses  
14 for local school units that would be subsidized through the  
16 school subsidy formula beginning in fiscal year 1992-93. The  
18 amount of additional costs can not be determined.'

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**STATEMENT OF FACT**

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18 This amendment permits the negotiation under the municipal  
20 public employee labor relations laws of the terms and conditions  
22 of sabbatical leaves for public school teachers and principals.  
24 The amendment retains the present statutory provisions limiting  
26 the maximum length of the leave to one year and requiring that  
28 leave may be granted to an employee only after 7 years of  
service. All other terms and conditions of a leave of absence  
may be negotiated. If these terms and conditions are not  
negotiated, the school board may establish those terms and  
conditions. Whether the terms and conditions of leaves of  
absence are established in a collective bargaining agreement or  
by the school board, the school board retains the sole authority  
to grant or deny a request for a leave.

Reported by the Committee on Labor  
Reproduced and distributed under the direction of the Clerk of the  
House  
3/23/90 (Filing No. H-981)