

# MAINE STATE LEGISLATURE

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L.D. 838

Date: 5-17-21

(Filing No. H-170)

MINORITY  
LABOR AND HOUSING

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 606, L.D. 838, "An Act To Exempt  
Substitutes, Coaches and Temporary Employees in the Education System from Paid Sick  
Leave Requirements"

Amend the bill by striking out the title and substituting the following:

**'An Act To Exempt Certain Employees from Earned Paid Leave Requirements'**

Amend the bill by striking out everything after the enacting clause and inserting the  
following:

**'Sec. 1. 26 MRSA §637, sub-§1, ¶C**, as enacted by PL 2019, c. 156, §3 and affected  
by §4, is repealed and the following enacted in its place:

C. "Employee" means a person engaged in employment but does not include:

(1) A person employed by a school administrative unit as a substitute teacher for  
less than 60 consecutive work days or in another substitute position, as a coach or  
as a temporary employee. For the purposes of this subparagraph, "coach" means a  
person employed in a position responsible for cocurricular or extracurricular  
activities and "temporary employee" means a person contracted to work a position  
for a limited time; or

(2) A volunteer or a person who is paid a stipend by an employer or who works  
for an employer on a per diem basis.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
number to read consecutively.

**SUMMARY**

This amendment specifies that short-term substitute teachers, as well as persons  
employed by a school administrative unit in other substitute positions or as coaches or  
temporary employees, are exempt from the law that requires employers to offer earned paid

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COMMITTEE AMENDMENT "A" to H.P. 606, L.D. 838

1 leave to employees. This amendment also exempts volunteers and persons who are paid a  
2 stipend or work on a per diem basis from the earned paid leave law.

3

**FISCAL NOTE REQUIRED**

4

**(See attached)**

**COMMITTEE AMENDMENT**



# 130th MAINE LEGISLATURE

LD 838

LR 1037(02)

**An Act To Exempt Substitutes, Coaches and Temporary Employees in the Education System from Paid Sick Leave Requirements**

**Fiscal Note for Bill as Amended by Committee Amendment**

**Committee: Labor and Housing**

**Fiscal Note Required: Yes**

*A (H-170)*

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## Fiscal Note

Minor revenue decrease - General Fund  
Minor revenue decrease - Other Special Revenue Funds

### Fiscal Detail and Notes

Excluding certain substitute and temporary school employees from being covered by the law that requires employers to offer earned paid leave to employees may reduce the amount of fine revenue collected for violations of the law. The reduction in General Fund and dedicated revenue is expected to be minor.