

MAINE STATE LEGISLATURE

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ROS Date: *4-4-22*

LABOR AND HOUSING

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "*A*" to H.P. 1384, L.D. 1874, "An Act To Clarify COVID-19 Paid Leave for School Employees"

Amend the bill in section 1 in §13605 in subsection 2 in the first line (page 1, line 35 in L.D.) by striking out the following: "This section" and inserting the following: 'This section Subsection 1'

Amend the bill in section 1 in §13605 in subsection 2 in the last line (page 1, line 37 in L.D.) by inserting after the following: "section" the following: ', except as provided in subsection 3'

Amend the bill in section 1 in §13605 by inserting after subsection 2 the following:

3. Exception. A public school employee who, on or after the effective date of this subsection, has 60 days or more of accrued paid leave is not eligible for leave pursuant to subsection 1.

4. Funding. A school administrative unit may use federal funds to provide the paid leave required under this section, including but not limited to funds from the federal Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the American Rescue Plan Elementary and Secondary School Emergency Relief Fund and the American Rescue Plan Act of 2021, Public Law 117-2, to the extent the funds are eligible to be used for the purposes of this section in accordance with federal law and regulations.'

Amend the bill by striking out all of section 2 and inserting the following:

'Sec. 2. Restoration. A school administrative unit shall restore sick leave time to a public school employee who used sick leave pursuant to the Maine Revised Statutes, Title 20-A, section 13605 between October 19, 2021 and the effective date of this Act. A school administrative unit shall compensate for an absence a public school employee who was absent from work for any reason described in Title 20-A, section 13605 between January 1, 2021 and the effective date of this Act and who was not eligible to be paid for that absence.'

COMMITTEE AMENDMENT

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COMMITTEE AMENDMENT "*A*" to H.P. 1384, L.D. 1874

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

3 **SUMMARY**

4 This amendment provides that a public school employee who has 60 days or more of
5 accrued paid leave on or after the effective date of this legislation is not eligible for paid
6 leave for reasons related to COVID-19 as specified in the Maine Revised Statutes, Title
7 20-A, section 13605, subsection 1. The amendment requires a school administrative unit to
8 restore sick leave time used by a public school employee pursuant to Title 20-A, section
9 13605 prior to the effective date of this legislation and to compensate a public school
10 employee who was absent from work for a reason described in Title 20-A, section 13605
11 prior to the effective date of this legislation and who was not eligible to be paid for that
12 absence. It also permits school administrative units to fund the paid leave provided in this
13 legislation using federal funds, if federal funds are available to be used for that purpose.

14 **FISCAL NOTE REQUIRED**

15 (See attached)

COMMITTEE AMENDMENT



130th MAINE LEGISLATURE

LD 1874

LR 2397(02)

An Act To Clarify COVID-19 Paid Leave for School Employees

Fiscal Note for Bill as Amended by Committee Amendment *A(H-916)*

Committee: Labor and Housing

Fiscal Note Required: Yes

Fiscal Note

Current biennium cost increase - Local school administrative units

Fiscal Detail and Notes

Amending the provisions of Public Law 2021, chapter 378, "An Act To Retroactively Grant Sick Leave Days to Public School Employees Affected by COVID-19" to 1) require school administrative units (SAU's) grant up to 15 days of "COVID-19 related" paid leave to public school employees with less than 60 accrued days of paid leave affected by the illness caused by COVID-19 to be used when needed by the employee; 2) restore "regular" sick leave days used to certain employees; and 3) compensate other employees that had COVID-19 related absences but were not eligible to be paid for those absences may result in increased costs to local school administrative units if the SAU pays more in total paid leave benefits and substitute teacher costs than it would have absent these changes. The impact on individual SAU's will depend on actual experience. To the extent that federal funds may be used to pay for the additional costs, the impact to SAU's may be mitigated.