

MAINE STATE LEGISLATURE

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LABOR

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STATE OF MAINE HOUSE OF REPRESENTATIVES 132ND LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 19, L.D. 55, "An Act to Amend the Law Governing the Accrual of Earned Paid Leave"

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

'Sec. 1. 26 MRSA §637, sub-§3, as enacted by PL 2019, c. 156, §3 and affected by §4, is amended to read:

3. Accrual. An employee is entitled to earn one hour of paid leave from a single employer for every 40 hours worked, up to 40 hours in one year of employment. Accrual of leave begins at the start of employment, but the employer is not required to permit use of the leave before the employee has been employed by that employer for 120 days during a one-year period. Accrued and unused hours of earned paid leave from the previous year of employment must be available for use by an employee in the year of employment immediately following the previous year. Accrued and unused hours of earned paid leave carried forward from the previous year of employment may not reduce the total amount of hours of paid leave an employee is entitled to earn in the year of employment immediately following the previous year, up to 40 hours or the accrual limit specified in the employer's policy governing paid leave, whichever is higher. The Department of Labor shall enforce this subsection within existing resources using strategic enforcement.'

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

SUMMARY

This amendment replaces the bill and provides that accrued and unused hours of earned paid leave from the previous year of employment must be available for use by an employee in the year of employment immediately following the previous year. Accrued and unused hours of earned paid leave carried forward from the previous year of employment may not reduce the total amount of hours of paid leave an employee is entitled to earn in the year of

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1 employment immediately following the previous year, up to 40 hours or the accrual limit
2 specified in the employer's policy governing paid leave, whichever is higher.

3 **FISCAL NOTE REQUIRED**

4 (See attached)



132nd MAINE LEGISLATURE

LD 55

LR 489(02)

An Act to Amend the Law Governing the Accrual of Earned Paid Leave

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-137)
Committee: Labor
Fiscal Note Required: Yes

Fiscal Note

Current biennium cost increase - General Fund

Fiscal Detail and Notes

The Department of Labor will incur costs to ensure compliance with the changes to the law governing earned paid leave. However, because this legislation requires the department to enforce the provisions within existing resources utilizing strategic enforcement, no General Fund appropriations are included in the bill. The ability of the department to address compliance issues associated with the changes to the law without impacting other programs and services can not be determined at this time.