

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 406

H.P. 260

House of Representatives, February 4, 2025

An Act to Repeal the Laws Providing for Paid Family and Medical Leave and to Reimburse Taxpayers

(EMERGENCY)

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in black ink that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MORRIS of Turner.
Cosponsored by Senator TIMBERLAKE of Androscoggin and
Representatives: CARLOW of Buxton, LANCE of Paris, LIBBY of Auburn, PAUL of
Winterport, SMITH of Palermo, WADSWORTH of Hiram, Senators: GUERIN of Penobscot,
HAGGAN of Penobscot.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** contributions to the paid family and medical leave benefits program
4 established in the Maine Revised Statutes, Title 26, chapter 7, subchapter 6-C began on
5 January 1, 2025; and

6 **Whereas,** to stop economic harm to employers and employees, contributions must
7 stop and be refunded to employers and employees as soon as possible; and

8 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
9 the meaning of the Constitution of Maine and require the following legislation as
10 immediately necessary for the preservation of the public peace, health and safety; now,
11 therefore,

12 **Be it enacted by the People of the State of Maine as follows:**

13 **Sec. 1. 3 MRSA §959, sub-§1, ¶1,** as amended by PL 2023, c. 412, Pt. AAA, §1,
14 is further amended to read:

15 I. The joint standing committee of the Legislature having jurisdiction over labor
16 matters shall use the following list as a guideline for scheduling reviews:

17 (2) Department of Labor in 2023;

18 (3) Maine Labor Relations Board in 2025; and

19 (4) Workers' Compensation Board in 2025; ~~and.~~

20 (5) ~~The paid family and medical leave benefits program established in Title 26,~~
21 ~~chapter 7, subchapter 6-C in 2029.~~

22 **Sec. 2. 5 MRSA §12004-I, sub-§54-F,** as enacted by PL 2023, c. 412, Pt. AAA,
23 §2, is repealed.

24 **Sec. 3. 26 MRSA §42,** as amended by PL 2023, c. 412, Pt. AAA, §3, is further
25 amended to read:

26 **§42. Powers and duties**

27 The bureau shall collect, assort and arrange statistical details relating to all departments
28 of labor and industrial pursuits in the State; to trade unions and other labor organizations
29 and their effect upon labor and capital; to the number and character of industrial accidents
30 and their effect upon the injured, their dependent relatives and upon the general public; to
31 other matters relating to the commercial, industrial, social, educational, moral and sanitary
32 conditions prevailing within the State, including the names of firms, companies or
33 corporations, where located, the kind of goods produced or manufactured, the time operated
34 each year, the number of employees classified according to age and sex and the daily and
35 average wages paid each employee; and the exploitation of such other subjects as will tend
36 to promote the permanent prosperity of the industries of the State. The director is authorized
37 and empowered, subject to the approval of the Governor, to accept from any other agency
38 of government, individual, group or corporation such funds as may be available in carrying
39 out this section, and meet such requirements with respect to the administration of such
40 funds, not inconsistent with this section, as are required as conditions precedent to receiving
41 such funds. An accounting of such funds and a report of the use to which they were put

1 must be included in the biennial report to the Governor. Each agency of government shall
2 cooperate fully with the bureau's efforts to compile labor and industrial statistics. The
3 director shall cause to be enforced all laws regulating the employment of minors; all laws
4 established for the protection of health, lives and limbs of operators in workshops and
5 factories, on railroads and in other places; all laws regulating the payment of wages; and
6 all laws enacted for the protection of the working classes. During an investigation to
7 enforce those laws, the director may request records and other information relating to an
8 employer's compliance with unemployment compensation and workers' compensation
9 laws, including information needed to determine whether the employer has properly
10 classified a worker as an independent contractor, and shall report suspected violations of
11 those laws to the state or federal agency responsible for enforcing them. The director may
12 adopt, in accordance with the Maine Administrative Procedure Act, rules regarding all such
13 laws, except where this authority is granted to a board or commission. Rules adopted
14 pursuant to this section are routine technical rules as defined in Title 5, chapter 375,
15 subchapter 2-A. The director shall, on or before the first day of July, biennially, report to
16 the Governor, and may make such suggestions and recommendations as the director may
17 deem necessary for the information of the Legislature. The director may from time to time
18 cause to be printed and distributed bulletins upon any subject that is of public interest and
19 benefit to the State, ~~including, but not limited to, the paid family and medical leave benefits~~
20 ~~program established in chapter 7, subchapter 6-C,~~ and may conduct a program of research,
21 education and promotion to reduce industrial accidents. The director may review various
22 data, such as workers' compensation records, as well as other information relating to any
23 public or private employer's safety experience. When any individual public or private
24 employer's safety experience causes the director to question seriously the safe working
25 environment of that employer, the director may offer any safety education and consultation
26 programs to that employer that may be beneficial in providing a safer work environment.
27 If the employer refuses this assistance or is in serious noncompliance ~~which that~~ may lead
28 to injuries, or if serious threats to worker safety continue, ~~then~~ the director shall
29 communicate concerns to appropriate agencies, such as the United States Occupational
30 Safety and Health Administration. As used in this section, the term "noncompliance"
31 means a lack of compliance with any applicable health and safety regulations of the United
32 States Occupational Safety and Health Administration or other federal agencies. The
33 bureau is responsible for the enforcement of indoor air quality and ventilation standards
34 with respect to state-owned buildings and buildings leased by the State. The bureau shall
35 enforce air quality standards in a manner to ensure that corrections to problems found in
36 buildings be made over a reasonable period of time, using consent agreements and other
37 approaches as necessary and reasonable.

38 The director may enter into reciprocal agreements with other states that maximize
39 compliance with employment standards enforced by the director.

40 **Sec. 4. 26 MRSA §42-B, sub-§1, ¶F**, as amended by PL 2023, c. 412, Pt. AAA,
41 §4, is further amended to read:

42 F. Minimum wage and overtime provisions as described in section 664; and

43 **Sec. 5. 26 MRSA §42-B, sub-§1, ¶G**, as amended by PL 2023, c. 412, Pt. AAA,
44 §5, is further amended to read:

45 G. Earned paid leave; ~~and~~.

