

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2025

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Legislative Document

No. 1169

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H.P. 774

House of Representatives, March 20, 2025

### **An Act Regarding Employer Payments for the Paid Family and Medical Leave Benefits Program**

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Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative SOBOLESKI of Phillips.  
Cosponsored by Senator MARTIN of Oxford and  
Representatives: BAGSHAW of Windham, DRINKWATER of Milford, GREENWOOD of  
Wales, PERKINS of Dover-Foxcroft, QUINT of Hodgdon, SMITH of Palermo, WHITE of  
Guilford, Senator: HAGGAN of Penobscot.

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

2 **Sec. 1. 26 MRSA §850-H, sub-§9** is enacted to read:

3 **9. Refund of premiums.** An employer with a private plan that was in place on or  
4 before January 1, 2025 that is approved by the department pursuant to this section is entitled  
5 to a refund of premiums paid pursuant to section 850-F in accordance with this subsection.

6 A. As used in this subsection, unless the context otherwise indicates, the following  
7 terms have the following meanings.

8 (1) "Approved employer" means an employer whose private plan was approved by  
9 the department pursuant to this section.

10 (2) "Premium" means the payroll premiums submitted pursuant to section 850-F,  
11 subsection 2.

12 B. An approved employer, using a form prepared by the administrator, shall submit a  
13 request for a refund of the premiums paid by the approved employer, specifying the  
14 total amount of the premiums paid by the employer prior to approval of the plan.

15 C. The administrator, upon receipt of the form from an approved employer, shall verify  
16 the amount of the refund requested and, within 90 days of receipt of the request, refund  
17 the approved employer the total of premiums paid, plus interest to the date of payment  
18 to the approved employer. The rate of interest must be the same as calculated pursuant  
19 to Title 36, section 186.

20 **Sec. 2. Form and refund information.** The Department of Labor shall develop  
21 and make available on its publicly accessible website a refund request form and information  
22 regarding the availability of a refund for employers whose private plan meets the  
23 requirements of and is approved by the department as a substitute plan under the Maine  
24 Revised Statutes, Title 26, section 850-H. The department shall meet the requirements of  
25 this section no later than 45 days following the effective date of this Act.

## 26 SUMMARY

27 Current law allows an employer that has a private plan substantially equivalent to the  
28 paid family and medical leave plan established in the Maine Revised Statutes, Title 26,  
29 chapter 7, subchapter 6-C and administered by the Department of Labor to apply for and  
30 receive approval to not participate in the department's plan. Until approval is given, the  
31 employer is responsible for the premiums of 1% of each employee's wages, 50% of which  
32 may be paid by the employee.

33 This bill allows an employer whose private plan is approved by the department to  
34 request a refund of the premiums paid if that employer had a substantially equivalent  
35 private plan in place on or before January 1, 2025, the date that premiums started to be due.  
36 The department or administrator, after verifying the amount paid by the employer, is  
37 required, within 90 days of receipt of the refund request, to refund the employer the  
38 premiums paid, plus interest that accrues to the date the refund payment is issued. The bill  
39 also requires the department to make available information regarding the availability of a  
40 refund.