

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 2058

H.P. 1556

House of Representatives, January 11, 2002

**Resolve, to Continue the Study of the Benefits and Costs for Increasing
Access to Family and Medical Leave for Maine Families.**

(EMERGENCY)

Reported by Speaker SAXL for the Committee to Study the Benefits and Costs for
Increasing Access to Family and Medical Leave for Maine Families pursuant to Joint Order
2001, H.P. 1386, section 8.

Reference to the Joint Standing Committee on Labor suggested and printing ordered under
Joint Rule 218.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

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

4
6 **Whereas,** the Committee to Study the Benefits and Costs for
Increasing Access to Family and Medical Leave for Maine Families
was created by joint order in the First Regular Session of the
8 120th Legislature; and

10 **Whereas,** members of that committee found that they had
insufficient information with which to make a recommendation
12 following their first period of work; and

14 **Whereas,** a thoughtful recommendation based on sufficient
information on the issue of paid family and medical leave is
16 important to both employees and employers in the State; and

18 **Whereas,** members of the committee desire to continue their
work in the interim following the adjournment of the Second
20 Regular Session of the 120th Legislature and to convene as
quickly as possible to provide for continuity of the study; and

22
24 **Whereas,** passage of this resolve will enable the committee
to submit legislation to the First Regular Session of the 121st
Legislature; and

26
28 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
30 necessary for the preservation of the public peace, health and
safety; now, therefore, be it

32
34 **Sec. 1. Committee established. Resolved:** That the Committee to
Continue to Study the Benefits and Costs for Increasing Access to
Family and Medical Leave for Maine Families, referred to in this
36 resolve as the "committee," is established; and be it further

38 **Sec. 2. Committee membership. Resolved:** That the committee
consists of 15 members:

40 1. Seven members appointed by the President of the Senate
42 as follows:

44 A. One Senator;

46 B. One representative of employers in the health care
industry;

48

2 C. One representative of employers in the insurance
industry;

4 D. One representative of municipal employers; and

6 E. Three members representing labor, women's groups and
senior citizens;

8

10 2. Six members appointed by the Speaker of the House of
Representatives as follows:

12 A. One member of the House of Representatives;

14 B. One representative from the low-income advocacy field;

16 C. One representative of a child care organization;

18 D. One parent or educator; and

20 E. Two members of the business community, one representing
a large business and one representing a small business;

22

24 3. The President of the Maine State Chamber of Commerce or
the president's designee; and

26 4. The Commissioner of Labor or the commissioner's designee.

28 The Senator and the member of the House of Representatives
may not be members of the same political party; and be it further

30

32 **Sec. 3. Chairs. Resolved:** That the Senate member is the
Senate chair of the committee and the House of Representatives
member is the House chair of the committee; and be it further

34

36 **Sec. 4. Appointments; meetings. Resolved:** That all
appointments must be made no later than 30 days following the
effective date of this resolve. The appointing authorities shall
38 notify the Executive Director of the Legislative Council once the
appointments have been made. When the appointment of all members
40 has been completed, the chairs of the committee shall call and
convene the first meeting of the committee no later than July 1,
42 2002; and be it further

44 **Sec. 5. Duties. Resolved:** That the committee shall study the
benefits and costs of providing family and medical leave
46 benefits. In conducting the study, the committee shall:

48 1. Review and consider information gathered by the
committee during the 2001 interim;

50

2 2. Continue to examine the issues set forth in Joint Order
2001, House Paper 1386, section 5, paragraph A;

4 3. Identify or develop additional sources of Maine-specific
data on use of family and medical leave and the availability of
6 paid leave;

8 4. Obtain information from other states and interest groups
that are conducting studies or developing methodologies for
10 estimating costs and benefits on paid family and medical leave;

12 5. Arrange for the assistance of experts in economic
analysis to prepare costs and benefit estimates for the
14 committee; and

16 6. Invite testimony from experts on early childhood
development, including experts on bonding between children and
18 parents, to assist the committee in considering potential
long-term benefits of providing paid leave so that parents will
20 be able to take leave following the birth or adoption of a child;
and be it further

22 **Sec. 6. Staff assistance. Resolved:** That, upon approval of the
24 Legislative Council, the Office of Policy and Legal Analysis
shall provide necessary staffing services to the committee; and
26 be it further

28 **Sec. 7. Compensation. Resolved:** That members of the committee
who are Legislators are entitled to the legislative per diem, as
30 defined in the Maine Revised Statutes, Title 3, section 2, and
reimbursement for necessary expenses incurred for their
32 attendance at authorized meetings of the committee. Other
members of the committee are entitled to receive reimbursement of
34 necessary expenses incurred for their attendance at authorized
meetings of the committee only if sufficient outside funds are
36 received for this purpose in accordance with section 9; and be it
further

38 **Sec. 8. Report. Resolved:** That the committee shall submit its
40 report, together with any necessary implementing legislation, to
the First Regular Session of the 121st Legislature no later than
42 December 1, 2002. If the committee requires a limited extension
of time to conclude its work, it may apply to the Legislative
44 Council, which may grant the extension; and be it further

46 **Sec. 9. Budget; grants. Resolved:** That the chairs of the
committee, with assistance from the committee staff, shall
48 administer the committee's budget. Within 10 days after the its
first meeting, the committee shall present a work plan and
50 proposed budget to

2 the Legislative Council for approval. The committee may not
3 incur expenses that would result in the committee's exceeding its
4 approved budget. Upon request from the committee, the Executive
5 Director of the Legislative Council promptly shall provide the
6 committee chairs and staff with a status report on the
7 committee's budget, expenditures incurred and paid and available
8 funds. The chairs of the committee may seek and accept grants
9 and other outside funding on behalf of the committee. Prompt
10 notice of solicitation and acceptance of such funds must be sent
11 to the Legislative Council. All funds accepted must be forwarded
12 to the executive director, along with an accounting that includes
13 amount, date received, from whom, purpose and limitation on use
14 of the funds. The executive director administers any funds
15 received.

16 **Emergency clause.** In view of the emergency cited in the
17 preamble, this resolve takes effect when approved.
18

20 SUMMARY

22 This resolve is the recommendation of the Committee to Study
23 the Benefits and Costs for Increasing Access to Family and
24 Medical Leave for Maine Families, which was created by joint
25 order in the First Regular Session of the 120th Legislature. The
26 committee recommended that it be allowed to continue its work
27 during another interim, since the lack of sufficient data
28 prevented members from reaching a conclusion in 2001 regarding
29 the costs and benefits of paid family and medical leave in
30 Maine. Several state and interest groups are working on creating
31 models for estimating costs and benefits of paid family and
32 medical leave, which the committee may be able to use in 2002.
33 Also, committee members intend to identify interest groups and
34 experts in Maine to gather data for the next phase of the study
35 and to provide economic analysis expertise necessary to use that
36 data.