

# MAINE STATE LEGISLATURE

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Amendment Name: Amendment CA (H-795) (LD 1410 2020)

Date: 8/3/2020



Date: (Filing No. H- )

LABOR AND HOUSING

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
SECOND SPECIAL SESSION

COMMITTEE AMENDMENT " " to H.P. 1023, L.D. 1410, Bill, "An Act To Create Paid Family and Medical Leave Benefits"

Amend the bill by striking out the title and substituting the following:

'Resolve, To Create the Commission To Develop a Paid Family and Medical Leave Benefits Program'

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

'Sec. 1. Commission established. Resolved: That, notwithstanding Joint Rule 353, the Commission To Develop a Paid Family and Medical Leave Benefits Program, referred to in this resolve as "the commission," is established in accordance with this resolve.

Sec. 2. Commission membership. Resolved: That the commission consists of 11 members as follows:

- 1. Two members of the Senate appointed by the President of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature;
2. Two members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature;
3. Two members appointed by the Governor:
A. One person with expertise in issues affecting maternity and postpartum care; and
B. One person with expertise in issues affecting elder care;
4. Two members appointed by the President of the Senate:
A. One person with expertise in issues affecting labor and independent contractors; and
B. One employer with more than 50 employees;
5. Two members appointed by the Speaker of the House:

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- 1 A. One person with expertise in issues related to family and medical leave benefits;
- 2 and
- 3 B. One employer with 50 or fewer employees; and
- 4 6. The Commissioner of Labor or the commissioner's designee.

5 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate  
6 chair and the first-named House of Representatives member is the House chair of the  
7 commission.

8 **Sec. 4. Appointments; convening of commission. Resolved:** That all  
9 appointments must be made no later than 30 days following the effective date of this  
10 resolve. The appointing authorities shall notify the Executive Director of the Legislative  
11 Council once all appointments have been completed. After appointment of all members,  
12 the chairs shall call and convene the first meeting of the commission. If 30 days or more  
13 after the effective date of this resolve a majority of but not all appointments have been  
14 made, the chairs may request authority and the Legislative Council may grant authority  
15 for the commission to meet and conduct its business.

16 **Sec. 5. Duties. Resolved:** That the commission shall:

17 1. Study the paid family and medical leave benefits programs in other states,  
18 including those that have established paid family and medical leave benefits programs or  
19 are considering the establishment of a paid family and medical leave benefits program. In  
20 its review of other state paid family and medical leave benefits programs, the commission  
21 shall consider the following factors for each program, including, but not limited to:

- 22 A. Equity;
- 23 B. Funding;
- 24 C. State partnerships and consortiums;
- 25 D. Education and outreach needs;
- 26 E. Technology needs;
- 27 F. Oversight and structure of the program; and
- 28 G. The relationship between the state government and the employers and employees  
29 participating in the program;

30 2. Develop a paid family and medical leave benefits program proposal in  
31 consultation with other states that have established paid family and medical leave benefits  
32 programs or are considering the establishment of paid family and medical leave benefits  
33 programs;

34 3. Contract for and complete an actuarial study of the paid family and medical leave  
35 benefits program proposal, including start-up costs and ongoing costs of the program, the  
36 economic impact on the State and the contributions needed to maintain the solvency of  
37 the program; and

38 4. Based on the actuarial study and other factors considered by the commission,  
39 make recommendations for a paid family and medical leave benefits program, including  
40 any necessary legislation.

1           **Sec. 6. Staff assistance. Resolved:** That the Governor’s Office of Policy  
2 Innovation and the Future shall provide necessary staffing services to the commission.  
3 Upon request, the Department of Labor, the Department of Health and Human Services  
4 and the Department of Administrative and Financial Services, Office of Information  
5 Technology and Maine Revenue Services shall provide any additional staffing assistance  
6 to the commission.

7           **Sec. 7. Report. Resolved:** That, no later than January 1, 2022, the commission  
8 shall submit a report that includes its findings and recommendations, including suggested  
9 legislation, for presentation to the Second Regular Session of the 130th Legislature.

10           **Sec. 8. Transfers from Department of Professional and Financial**  
11 **Regulation Other Special Revenue Funds balances to General Fund.**  
12 **Resolved:** That, at the close of fiscal year 2020-21, the State Controller shall transfer  
13 \$200,000 from available balances in Other Special Revenue Funds accounts within the  
14 Department of Professional and Financial Regulation to the General Fund unappropriated  
15 surplus to support the purposes of the commission. On or before June 30, 2021, the  
16 Commissioner of Professional and Financial Regulation shall determine from which  
17 accounts the funds will be transferred so that the sum equals \$200,000 and notify the  
18 State Controller and the joint standing committee of the Legislature having jurisdiction  
19 over appropriations and financial affairs of the amounts to be transferred from each  
20 account.

21           **Sec. 9. Appropriations and allocations. Resolved:** That the following  
22 appropriations and allocations are made.

23           **EXECUTIVE DEPARTMENT**

24           **Office of Policy Innovation and the Future Z135**

25 Initiative: Appropriates funds to contract for and complete an actuarial study of the paid  
26 family and medical leave benefits program.

27	<b>GENERAL FUND</b>	<b>2019-20</b>	<b>2020-21</b>
28	All Other	\$0	\$200,000
29			
30	GENERAL FUND TOTAL	\$0	\$200,000
31			

32           **SUMMARY**

33           This amendment replaces the bill and is the majority report of the committee. The  
34 amendment establishes the Commission To Develop a Paid Family and Medical Leave  
35 Benefits Program.

36           The amendment also transfers and appropriates funds for the costs of an actuarial

COMMITTEE AMENDMENT “ ” to H.P. 1023, L.D. 1410

1 study of the paid family and medical leave benefits program developed by the  
2 commission.

3

**FISCAL NOTE REQUIRED**

4

**(See attached)**



# 129th MAINE LEGISLATURE

LD 1410

LR 33(02)

## An Act To Create Paid Family and Medical Leave Benefits

### Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Labor and Housing

Fiscal Note Required: Yes

### Fiscal Note

#### Legislative Cost/Study

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$200,000	\$0	\$0
<b>Transfers</b>				
General Fund	\$0	\$200,000	\$0	\$0
Other Special Revenue Funds	\$0	(\$200,000)	\$0	\$0

#### Legislative Cost/Study

The general operating expenses of this study are projected to be \$2,000 in fiscal year 2020-21 and \$2,000 in 2021-22. An estimated \$6,190 is available in fiscal year 2020-21 in the Legislature's budget for legislative studies as well as any balances from prior years for this purpose. Whether these amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature. The additional costs of providing staffing assistance to the study during the interim can be absorbed utilizing existing budgeted staff resources.

#### Fiscal Detail and Notes

The bill provides a one-time General Fund appropriation in fiscal year 2020-21 to the Governor's Office of Policy Innovation and the Future to contract for and completed an actuarial study of the paid family and medical leave program. The bill also transfers \$200,000 from available balances in Other Special Revenue Funds accounts within the Department of Professional and Financial Regulation to the unappropriated surplus of the General Fund at the end of fiscal year 2020-21 to offset the cost of the appropriation.

Any additional costs to the Departments of Health and Human Services, Labor and Administrative and Financial Services to provide staff assistance to the commission are expected to be minor and can be absorbed within existing budgeted resources.