

MAINE STATE LEGISLATURE

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Date: 4/5/22 Majority

L.D. 898
(Filing No. H-926)

LABOR AND HOUSING

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 654, L.D. 898, "An Act To Provide Incentives to Unemployed Workers To Become Part of the Caregiver Workforce"

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

'An Act To Create the Essential Support Workforce Advisory Committee'

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

Sec. 1. 5 MRSA §12004-I, sub-§54-E is enacted to read:

54-E.

<u>Labor</u>	<u>Essential Support Workforce</u>	<u>Not Authorized</u>	<u>26 MRSA §3702</u>
	<u>Advisory Committee</u>		

Sec. 2. 26 MRSA c. 47 is enacted to read:

CHAPTER 47

ESSENTIAL SUPPORT WORKFORCE ADVISORY COMMITTEE

§3701. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Benefit cliff effect. "Benefit cliff effect" means the situation that arises when an individual or family receiving state, federal or local public benefits has a new or increased income that results in a loss of any of those public benefits and the increased income does not fully compensate for, or exceed, the financial loss of those public benefits.

2. Essential support worker. "Essential support worker" has the same meaning as in Title 22, section 7401, subsection 3.

COMMITTEE AMENDMENT

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§3702. Essential Support Workforce Advisory Committee

1. Advisory committee established. The Essential Support Workforce Advisory Committee, as established in Title 5, section 12004-I, subsection 54-E and referred to in this chapter as "the advisory committee," is established to advise the Legislature, the Governor and state agencies on the State's shortage of essential support workers.

2. Membership. The advisory committee consists of 14 members, appointed as follows:

- A. One member of the Senate, appointed by the President of the Senate;
- B. One member of the House of Representatives, appointed by the Speaker of the House;
- C. The Commissioner of Health and Human Services or the commissioner's designee;
- D. The Commissioner of Labor or the commissioner's designee;
- E. One member representing an organization providing services to persons with intellectual disabilities and autism who is a member of a statewide association of providers of services to persons with intellectual disabilities and autism, appointed by the President of the Senate;
- F. One member representing a facility-based long-term care provider who is a member of a statewide association of facility-based long-term care providers, appointed by the President of the Senate;
- G. One member representing a service coordination agency for people receiving home-based and community-based long-term care, appointed by the President of the Senate;
- H. One member representing an organization providing statewide homemaker services through a state-funded, independent, support service program, appointed by the President of the Senate;
- I. One member representing an institution of higher education engaged in workforce development, appointed by the President of the Senate;
- J. One member representing a career and technical education center or region, appointed by the Speaker of the House;
- K. One member representing an organization promoting independent living for persons with disabilities, appointed by the Speaker of the House;
- L. One member who is an essential support worker, appointed by the Speaker of the House;
- M. One member representing a statewide advocacy association that broadly advocates for people who are entitled to receive essential support worker services, appointed by the Speaker of the House; and
- N. One member representing an organization providing services to persons with behavioral health challenges who is a member of a statewide association of providers of services to persons with behavioral health challenges, appointed by the Speaker of the House.

3. Meetings. The advisory committee may meet as often as necessary but shall meet not fewer than 3 times a year.

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1 4. Chairs. At its first meeting, the advisory committee shall select a chair and vice-
2 chair from among its members and may select a new chair and vice-chair annually.

3 5. Terms of appointments. Members of the advisory committee, except for
4 Legislators, are appointed for terms of 3 years and may serve beyond their designated terms
5 until their successors are appointed. The terms of appointment of Legislators run
6 concurrently with their respective legislative terms of office.

7 6. Legislative members not entitled to compensation. Notwithstanding Title 3,
8 section 2 or any other law to the contrary, legislative members are not entitled to per diem
9 pay or expenses for any advisory committee meetings the member attends.

10 7. Staffing. The Department of Labor shall provide staff support for advisory
11 committee meetings and may provide other support to the advisory committee. To the
12 extent funding is available, the advisory committee may contract for staff services as
13 needed.

14 8. Duties and powers. The advisory committee shall:

15 A. Collaborate with the Department of Labor, the Department of Health and Human
16 Services, the State's institutions of higher education, the State's adult education
17 programs and career and technical education centers and regions and any other state
18 agencies to examine staffing level needs in the essential support workforce, including
19 entities funded by the State and through the MaineCare program;

20 B. Make recommendations to state agencies and the Legislature related to recruitment
21 and retention of essential support workers;

22 C. Monitor essential support worker shortages and the expansion of the essential
23 support workforce to examine if actions taken to promote expansion in the essential
24 support workforce have been successful;

25 D. Make recommendations to the Department of Labor, the Department of Health and
26 Human Services, the Legislature and other state agencies regarding additional research
27 needed to further the expansion of the essential support workforce;

28 E. Collect data related to the essential support workforce;

29 F. Examine benefit cliff effects on essential support workers and recommend and
30 develop a pilot project to mitigate benefit cliff effects on essential support workers; and

31 G. Make recommendations to the Legislature, including any suggested legislation.

32 9. Departments to provide updates. The Department of Labor and the Department
33 of Health and Human Services shall provide quarterly updates to the advisory committee
34 regarding their efforts to expand the State's essential support workforce.

35 10. Report to Legislature. Beginning January 1, 2023 and annually thereafter, the
36 advisory committee shall submit a report to the joint standing committees of the Legislature
37 having jurisdiction over labor matters and health and human services matters on its
38 activities under this chapter.

39 11. Funding. The advisory committee may seek, accept and expend outside funding
40 to carry out its duties. The advisory committee may accept funds from the Federal
41 Government pursuant to the federal American Rescue Plan Act of 2021, Public Law 117-

COMMITTEE AMENDMENT

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1 2. to the extent the funds are eligible to be used for the purposes of the advisory committee
2 in accordance with federal law and regulations.

3 **§3703. Repeal**

4 This chapter is repealed January 1, 2028.

5 **Sec. 3. Staggered terms.** Notwithstanding the Maine Revised Statutes, Title 26,
6 section 3702, subsection 5, initial appointments to the Essential Support Workforce
7 Advisory Committee must be staggered as follows:

8 1. One member appointed by the President of the Senate must be appointed for a one-
9 year term; one member must be appointed for a 2-year term; and 3 members must be
10 appointed for 3-year terms; and

11 2. One member appointed by the Speaker of the House must be appointed for a one-
12 year term; one member must be appointed for a 2-year term; and 3 members must be
13 appointed for 3-year terms.

14 **Sec. 4. Appropriations and allocations.** The following appropriations and
15 allocations are made.

16 **LABOR, DEPARTMENT OF**

17 **Employment Services Activity 0852**

18 Initiative: Provides funds for one part-time Labor Program Specialist position and related
19 All Other costs to provide staffing and other support to the Essential Support Workforce
20 Advisory Committee through January 1, 2028.

21	GENERAL FUND	2021-22	2022-23
22	POSITIONS - FTE COUNT	0.000	0.250
23	Personal Services	\$0	\$18,249
24	All Other	\$0	\$10,789
25			
26	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$29,038</u>

27 **Workforce Research Z164**

28 Initiative: Provides funds for one part-time Statistician II position and related All Other
29 costs to support the collection of data for the Essential Support Workforce Advisory
30 Committee through January 1, 2028.

31	GENERAL FUND	2021-22	2022-23
32	POSITIONS - FTE COUNT	0.000	0.250
33	Personal Services	\$0	\$13,748
34	All Other	\$0	\$3,649
35			
36	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$17,397</u>

38 **LABOR, DEPARTMENT OF**
39 **DEPARTMENT TOTALS**

40		2021-22	2022-23
41	GENERAL FUND	\$0	\$46,435

1
2 **DEPARTMENT TOTAL - ALL FUNDS**

_____ \$0

_____ \$46,435

3
4 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
5 number to read consecutively.

6 **SUMMARY**

7 This amendment replaces the bill, which is a concept draft. It establishes the Essential
8 Support Workforce Advisory Committee to advise the Legislature, the Governor and state
9 agencies on issues involving the essential support workforce. The amendment also adds
10 an appropriations and allocations section.

11 **FISCAL NOTE REQUIRED**

12 (See attached)



130th MAINE LEGISLATURE

LD 898

LR 1703(02)

An Act To Provide Incentives to Unemployed Workers To Become Part of the Caregiver Workforce

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-926)
 Committee: Labor and Housing
 Fiscal Note Required: Yes

Fiscal Note

Legislative Cost/Study

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
Net Cost (Savings)				
General Fund	\$0	\$46,435	\$47,394	\$48,38
Appropriations/Allocations				
General Fund	\$0	\$46,435	\$47,394	\$48,383

Fiscal Detail and Notes

This bill includes General Fund appropriations totaling \$46,435 in fiscal year 2022-23 to the Department of Labor for the costs associated with providing staffing and other support to the Essential Support Workforce Advisory Committee through January 1, 2028. Of this amount, \$29,038 is provided for one part-time Labor Program Specialist position and related All Other costs for staffing and other administrative support and \$17,397 is provided for one part-time Statistician II position to support the collection of data for the committee.

Any additional costs to the Department of Health and Human Services to be part of the Essential Support Workforce Advisory Committee are expected to be minor and can be absorbed within existing budgeted resources. While the bill requires the use of Legislative resources, there will be no additional costs to the Legislature because the bill specifically prohibits Legislative members appointed to the Essential Support Workforce Advisory Committee from receiving any per diem or expenses for their attendance at meetings.