

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

SAC  
ROS

1

L.D. 1952

2

Date: 3/31/22

(Filing No. S-491)

3

## LABOR AND HOUSING

4

Reproduced and distributed under the direction of the Secretary of the Senate.

5

### STATE OF MAINE

6

### SENATE

7

### 130TH LEGISLATURE

8

### SECOND REGULAR SESSION

9

COMMITTEE AMENDMENT "A" to S.P. 688, L.D. 1952, "Resolve, To Extend the Commission To Develop a Paid Family and Medical Leave Benefits Program"

10

11

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

12

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

13

14

Amend the resolve by striking out everything after the title and before the emergency clause and inserting the following:

15

16

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

17

18

**Whereas,** the Commission To Develop a Paid Family and Medical Leave Benefits Program established in Resolve 2021, chapter 122 was required to submit a report relating to the commission's duties by February 1, 2022 but was unable to complete the duties required of it; and

19

20

21

22

**Whereas,** the commission must be reestablished before the 90-day period expires in order that the commission's work may be completed and a report submitted in time for submission to the next legislative session; and

23

24

25

**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 necessary for the preservation of the public peace, health and safety; now, therefore, be it

26

27

28

29

**Sec. 1. Commission reestablished. Resolved:** That the Commission To Develop a Paid Family and Medical Leave Benefits Program, referred to in this resolve as "the commission," originally established in Resolve 2021, chapter 122 is reestablished.

30

31

32

**Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule 353, the commission consists of 12 voting members as follows:

33

# COMMITTEE AMENDMENT

ROS

COMMITTEE AMENDMENT "A" to S.P. 688, L.D. 1952 (5491)

- 1           1. Two members of the Senate appointed by the President of the Senate, including a
- 2           member from each of the 2 parties holding the largest number of seats in the Legislature;
- 3           2. Two members of the House of Representatives appointed by the Speaker of the
- 4           House, including a member from each of the 2 parties holding the largest number of seats
- 5           in the Legislature;
- 6           3. Two members appointed by the President of the Senate as follows:
- 7           A. One member with expertise in issues affecting labor and independent contractors;
- 8           and
- 9           B. One employer with more than 50 employees;
- 10          4. Three members appointed by the Speaker of the House as follows:
- 11          A. One member with expertise in issues related to family and medical leave benefits;
- 12          B. One employer with 50 or fewer employees; and
- 13          C. One member who is an employer in the hospitality industry;
- 14          5. Two members appointed by the Governor as follows:
- 15          A. One member with expertise in issues affecting maternity and postpartum care; and
- 16          B. One member with expertise in issues affecting elder care; and
- 17          6. The Commissioner of Labor or the commissioner's designee.

18           To the greatest extent practicable, the appointing authorities shall reappoint the persons  
19 they appointed to the Commission To Develop a Paid Family and Medical Leave Benefits  
20 Program under Resolve 2021, chapter 122.

21           **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair  
22 and the first-named House of Representatives member is the House chair of the  
23 commission. Notwithstanding Joint Rule 353, the chairs may appoint, as nonvoting  
24 members, individuals with expertise in paid family and medical leave, social insurance  
25 programs or related state infrastructure.

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

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

- 35           1. Develop a plan to implement a paid family and medical leave benefits program by
- 36           consulting with other states that have established paid family and medical leave benefits
- 37           programs;
- 38           2. Contract for and complete an actuarial study of the planned program under
- 39           subsection 1, including start-up costs and ongoing costs of the program, the economic

# COMMITTEE AMENDMENT

ROS

1 impact on and benefits to the State and the contributions needed to maintain the solvency  
2 of the program; and

3 3. Based on the actuarial study in subsection 2 and other factors considered by the  
4 commission, make recommendations to implement a paid family and medical leave  
5 benefits program, including any necessary legislation.

6 **Sec. 6. Staff assistance. Resolved:** That, notwithstanding Joint Rule 353, the  
7 Legislative Council shall provide necessary staffing services or may contract for necessary  
8 staffing services for the commission, except that Legislative Council staff support is not  
9 authorized when the Legislature is in regular or special session. Upon request, the Office  
10 of Policy Innovation and the Future, the Department of Labor, the Department of Health  
11 and Human Services and the Department of Administrative and Financial Services, Office  
12 of Information Technology and Bureau of Revenue Services shall provide additional  
13 staffing assistance to the commission.

14 **Sec. 7. Report. Resolved:** That, no later than November 2, 2022, the commission  
15 shall submit a report that includes its findings and recommendations, including suggested  
16 legislation, for presentation to the First Regular Session of the 131st Legislature.

17 **Sec. 8. Additional funding sources. Resolved:** That the commission may apply  
18 for and receive funds, grants or contributions from public and private sources to support its  
19 activities. All funding is subject to approval by the Legislative Council in accordance with  
20 its policies.

21 **Sec. 9. Funds carried forward. Resolved:** That funds appropriated or allocated  
22 pursuant to Resolve 2021, chapter 122 do not lapse but must be carried forward into the  
23 next fiscal year to be used for the purpose for which the funds were provided.'

24 Amend the resolve by relettering or renumbering any nonconsecutive Part letter or  
25 section number to read consecutively.

26 **SUMMARY**

27 This amendment replaces the resolve. The amendment reestablishes the Commission  
28 To Develop a Paid Family and Medical Leave Benefits Program, which was established in  
29 Resolve 2021, chapter 122, and requires the commission to submit a report for presentation  
30 to the First Regular Session of the 131st Legislature no later than November 2, 2022. The  
31 amendment retains the provision in the resolve that provides that funds appropriated or  
32 allocated pursuant to Resolve 2021, chapter 122 do not lapse but must be carried forward  
33 into the next fiscal year to be used for the purpose for which the funds were provided. The  
34 amendment requires the appointing authorities, to the greatest extent practicable, to  
35 reappoint the persons they appointed to the former commission.

36 **FISCAL NOTE REQUIRED**

37 (See attached)



# 130th MAINE LEGISLATURE

LD 1952

LR 2581(02)

**Resolve, To Extend the Commission To Develop a Paid Family and Medical Leave Benefits Program**

**Fiscal Note for Bill as Amended by Committee Amendment "A" (S-491)**  
**Committee: Labor and Housing**  
**Fiscal Note Required: Yes**

---

## Fiscal Note

### Legislative Cost/Study

#### Legislative Cost/Study

The additional costs to extend the Commission are projected to be \$1,000 in fiscal year 2021-22 and \$2,250 in fiscal year 2022-23. Resolve 2021, Chapter 122 provided \$200,000 to the Commission to contract with an outside entity ' conduct and complete an actuarial study. Section 2 of this resolve authorizes balances provided in Resolve 2021, Chapter 122 to be carried forward into fiscal year 2022-23 to be used for the same purpose. The estimated fiscal year 2021-22 balance related to this study is expected to be \$199,685 less amounts paid to the outside entity through June 30, 2022.

#### Fiscal Detail and Notes

Additional costs to the Department of Administrative and Financial Services, the Governor's Office, the Department of Labor and the Department of Health and Human Services to provide staffing assistance to the commission is expected to be minor and can be absorbed within existing budgeted resources.