

MAINE STATE LEGISLATURE

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ROS

L.D. 2018

Date: 3/31/26

MINORITY

(Filing No. H-949)

LABOR

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "B" to H.P. 1348, L.D. 2018, "An Act to Amend the Requirements Governing Self-insurance Plans in the Paid Family and Medical Leave Benefits Program"

Amend the bill in section 1 in paragraph A by striking out all of subparagraph (2) (page 1, lines 8 and 9 in L.D.) and inserting the following:

'(2) The department shall allow multiple employers to share the cost of legal, accounting, surety and 3rd-party administrator expenses, but all employers approved to self-insure are strictly liable to pay all of their own claims notwithstanding any other financial arrangement.'

Amend the bill by striking out all of sections 2, 3, 4 and 5.

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

SUMMARY

This amendment amends the bill to remove the provision that provides that the Department of Labor may not allow the pooling of risk, financial resources or administration among multiple employers under the law governing the paid family and medical leave benefits program. It provides that multiple employers in a private plan in the form of self-insurance may share the costs of legal, accounting, surety and 3rd-party administrator expenses, but also specifies that self-insured employers are strictly liable to pay all of their own claims. It removes the retroactivity provision of the bill.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



132nd MAINE LEGISLATURE

LD 2018

LR 2791(03)

An Act to Amend the Requirements Governing Self-insurance Plans in the Paid Family and Medical Leave Benefits Program

Fiscal Note for Bill as Amended by Committee Amendment "B" (H-949)

Committee: Labor

Fiscal Note Required: Yes

Fiscal Note

No State fiscal impact - codifies existing interpretation of statute

Fiscal Detail and Notes

This bill clarifies that all employers approved by the Department of Labor (department) to self-insure for the provision of paid family and medical leave benefits are strictly liable to pay all of their own claims notwithstanding any other financial arrangement. This bill effectively prohibits the pooling of risk among multiple employers as an alternative to the State trust, which pools the costs and risks of paid family and medical leave benefits statewide, and could potentially reduce the premium contributions paid to the State as well as the benefit claims paid out by the State.

In practice, the department has interpreted the statute establishing the paid family and medical leave benefits program to only allow coverage models explicitly identified in the statute and to prohibit all others. Consequently, the department has not approved any private group trusts to date; this fiscal note assumes there are none currently in operation. This bill codifies the department's interpretation in statute and therefore has no fiscal impact on the State.