

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2021

4. Consider whether there is a time limit after which some or all criminal records should not be publicly available;

5. Invite comments and suggestions from interested parties, including but not limited to victim advocates and prison and correctional reform organizations;

6. Review existing information about the harms and benefits of making criminal records confidential, including the use and dissemination of those records;

7. Invite comments and suggestions concerning the procedures to limit public accessibility of criminal records;

8. Consider who, if anyone, should continue to have access to criminal records that are not publicly available; and

9. Develop options to manage criminal records.

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the review committee, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

Sec. 7. Report. Resolved: That, no later than December 3, 2021, the review committee shall submit to the Joint Standing Committee on Judiciary a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 122

S.P. 501 - L.D. 1559

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

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

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 12 voting 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 a member from each of the 2 parties holding the largest number of seats in the Legislature;

3. Two members appointed by the President of the Senate as follows:

A. One member with expertise in issues affecting labor and independent contractors; and

B. One employer with more than 50 employees;

4. Three members appointed by the Speaker of the House as follows:

A. One member with expertise in issues related to family and medical leave benefits;

B. One employer with 50 or fewer employees; and

C. One member who is an employer in the hospitality industry;

5. Two members appointed by the Governor as follows:

A. One member with expertise in issues affecting maternity and postpartum care; and

B. One member with expertise in issues affecting elder care; and

6. The Commissioner of Labor or the commissioner's designee.

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

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

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

1. Study the paid family and medical leave benefits programs in other states, including those that have established paid family and medical leave benefits programs. In its review of paid family and medical leave benefits programs in other states, the commission shall consider without limitation the following factors for each program:

A. Equity of the program;

B. Program funding;

- C. State partnerships and consortiums, including information technology needs;
- D. Education and outreach needs;
- E. Oversight and structure of the program; and
- F. Relationship between state government and the employers and employees participating in the program;

2. Solicit and consider public comment on the administration and establishment of a paid family and medical leave benefits program, including but not limited to purposes for leave, eligibility, job protection and duration;

3. Develop a plan to implement a paid family and medical leave benefits program by consulting with other states that have established paid family and medical leave benefits programs;

4. Contract for and complete an actuarial study of the planned program under subsection 3, including start-up costs and ongoing costs of the program, the economic impact on and benefits to the State and the contributions needed to maintain the solvency of the program; and

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

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

Sec. 7. Report. Resolved: That, notwithstanding Joint Rule 353, no later than February 1, 2022, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 130th Legislature.

Sec. 8. Additional funding sources. Resolved: That, notwithstanding Joint Rule 353, the commission may apply for and receive funds, grants or contributions from public and private sources to support its activities.

Sec. 9. Transfer from Department of Administrative and Financial Services Other Special Revenue Funds balances to Legislature,

Study Commissions - Funding. Resolved: That, notwithstanding any provision of law to the contrary, at the close of fiscal year 2021-22, the State Controller shall transfer \$200,000 from the available balance in the Adult Use Marijuana Regulatory Coordination Fund Other Special Revenue Funds account within the Department of Administrative and Financial Services to the Legislature, Study Commissions - Funding Other Special Revenue Funds account.

Sec. 10. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

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Study Commissions - Funding 0444

Initiative: Allocates funds on a one-time basis to the Legislature for the costs of contracting with an outside entity to conduct and complete an actuarial study as required for the Commission To Develop a Paid Family and Medical Leave Benefits Program.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$200,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$0

See title page for effective date.