

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON
LABOR AND HOUSING**

August 2019

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 129th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER..... carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE..... emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 129th Legislature is Thursday, September 19, 2019. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Labor and Housing

LD 1410 An Act To Create Paid Family and Medical Leave Benefits

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON S SANBORN H		

This bill establishes a paid family and medical leave benefits program administered by the Department of Labor. The program provides up to 12 weeks of family leave and up to 20 weeks of medical leave to eligible covered individuals. No more than 20 weeks of family leave and medical leave in the aggregate may be taken in a 12-month period. An individual is eligible for leave under the program after working 26 weeks or more for any employer in the 12 months prior to submitting an application or if the individual is self-employed and has elected to be part of the program.

The maximum weekly benefit amount is capped at 100 percent of the state average weekly wage. The weekly benefit amount is 90 percent of the portion of the covered individual's average weekly wage that is equal to or less than 50 percent of the state average weekly wage and 67 percent of the portion of the covered individual's average weekly wage that is more than 50 percent of the state average weekly wage. Covered individuals are required to file claims for benefits in accordance with rules adopted by the department and to provide certification that they qualify for family leave or medical leave.

This bill establishes the Family and Medical Leave Insurance Fund to support the program. The funds for administrative costs and payment of benefits will come from payroll contributions by employees. It also requires payroll contributions to begin January 1, 2021, and benefits will be paid out beginning January 1, 2022.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1411 An Act Regarding the Federal Workforce Innovation and Opportunity Act

PUBLIC 246

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FECTEAU R	OTP-AM ONTP	H-358

This bill amends provisions related to the federal Workforce Innovation and Opportunity Act. It makes appointment of members to the State Workforce Board subject to confirmation by the Legislature. It requires the State Workforce Board to submit the state workforce development plan to the joint standing committee of the Legislature having jurisdiction over labor matters prior to the plan being submitted to the Federal Government. It directs the Treasurer of State to disburse federal funds received pursuant to the federal Workforce Innovation and Opportunity Act and state funds made available to be used to implement that Act if the Governor does not authorize disbursement of the funds within 30 days after the funds are received or made available.

Committee Amendment "A" (H-358)

This amendment, which is the majority report of the committee, requires the state workforce development plan to be submitted to the joint standing committee of the Legislature having jurisdiction over labor matters at the same time the plan is posted for public comment pursuant to the federal Workforce Innovation and Opportunity Act. It requires that the appointments of certain members of the State Workforce Board are subject to review by the joint standing committee of the Legislature having jurisdiction over labor matters and to confirmation by the Legislature,

Joint Standing Committee on Labor and Housing

but clarifies that members such as the Governor or commissioners of state agencies and county commissioners are not required to be confirmed by the Legislature. It specifies that when the term of a member expires, that member remains on the board until replaced. Lastly, it requires the Governor to make federal funds available to the local workforce boards to be used to implement the Workforce Innovation and Opportunity Act within 30 days after the date funds are made available to the Governor and in accordance with state procurement rules and the federal Cash Management Improvement Act of 1990.

Enacted Law Summary

Public Law 2019, chapter 246 amends provisions related to the federal Workforce Innovation and Opportunity Act. This law requires the state workforce development plan to be submitted to the joint standing committee of the Legislature having jurisdiction over labor matters at the same time the plan is posted for public comment pursuant to the federal Workforce Innovation and Opportunity Act. It requires that the appointments of certain members of the State Workforce Board are subject to review by the joint standing committee of the Legislature having jurisdiction over labor matters and to confirmation by the Legislature, but clarifies that members such as the Governor or commissioners of state agencies and county commissioners are not required to be confirmed by the Legislature. It specifies that when the term of a member expires, that member remains on the board until replaced. Lastly, it requires the Governor to make federal funds available to the local workforce boards to be used to implement the Workforce Innovation and Opportunity Act within 30 days after the date funds are made available to the Governor and in accordance with state procurement rules and the federal Cash Management Improvement Act of 1990.

LD 1412 An Act To Amend the Laws Governing the Collective Bargaining Rights of Employees of School Management and Leadership Centers

PUBLIC 460

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANDY J LAWRENCE M	OTP-AM ONTP	H-494

This bill provides that employees of school management and leadership centers established under the Maine Revised Statutes, Title 20-A, chapter 123 are eligible to participate in the Maine Public Employees Retirement System. It also establishes collective bargaining obligations, duties, liabilities and rights for a school management and leadership center pursuant to the laws governing municipal public employers and includes provisions for the merging of bargaining units of employees of a school administrative unit that also are employed by a school management and leadership center.

Committee Amendment "A" (H-494)

This amendment, which is the majority report of the committee, specifies that the retirement costs and administrative operating expenses related to the retirement programs for teachers employed by a school management and leadership center are to be paid by that school management and leadership center.

Enacted Law Summary

Public Law 2019, chapter 460 provides that employees of school management and leadership centers established under the Maine Revised Statutes, Title 20-A, chapter 123 are eligible to participate in the Maine Public Employees Retirement System. It also establishes collective bargaining obligations, duties, liabilities and rights for a school management and leadership center pursuant to the laws governing municipal public employers and includes provisions for the merging of bargaining units of employees of a school administrative unit that also are employed by a school management and leadership center.

This law also specifies that the retirement costs and administrative operating expenses related to the retirement programs for teachers employed by a school management and leadership center are to be paid by that school management and leadership center.