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Date: (Filing No. H-)

LABOR AND HOUSING

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
SECOND SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1023, L.D. 1410, Bill, “An Act To Create Paid Family and Medical Leave Benefits”

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

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

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

'Sec. 1. Commission established. Resolved: That, notwithstanding Joint Rule 353, the Commission To Develop a Paid Family and Medical Leave Benefits Program, referred to in this resolve as "the commission," is established in accordance with this resolve.

Sec. 2. Commission membership. Resolved: That the commission consists of 11 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 members from each of the 2 parties holding the largest number of seats in the Legislature;
3. Two members appointed by the Governor:
 - A. One person with expertise in issues affecting maternity and postpartum care; and
 - B. One person with expertise in issues affecting elder care;
4. Two members appointed by the President of the Senate:
 - A. One person with expertise in issues affecting labor and independent contractors; and
 - B. One employer with more than 50 employees;
5. Two members appointed by the Speaker of the House:

COMMITTEE AMENDMENT

- 1 A. One person with expertise in issues related to family and medical leave benefits;
2 and
3 B. One employer with 50 or fewer employees; and
4 6. The Commissioner of Labor or the commissioner's designee.

5 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate
6 chair and the first-named House of Representatives member is the House chair of the
7 commission.

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

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

17 1. Study the paid family and medical leave benefits programs in other states,
18 including those that have established paid family and medical leave benefits programs or
19 are considering the establishment of a paid family and medical leave benefits program. In
20 its review of other state paid family and medical leave benefits programs, the commission
21 shall consider the following factors for each program, including, but not limited to:

- 22 A. Equity;
23 B. Funding;
24 C. State partnerships and consortiums;
25 D. Education and outreach needs;
26 E. Technology needs;
27 F. Oversight and structure of the program; and
28 G. The relationship between the state government and the employers and employees
29 participating in the program;

30 2. Develop a paid family and medical leave benefits program proposal in
31 consultation with other states that have established paid family and medical leave benefits
32 programs or are considering the establishment of paid family and medical leave benefits
33 programs;

34 3. Contract for and complete an actuarial study of the paid family and medical leave
35 benefits program proposal, including start-up costs and ongoing costs of the program, the
36 economic impact on the State and the contributions needed to maintain the solvency of
37 the program; and

38 4. Based on the actuarial study and other factors considered by the commission,
39 make recommendations for a paid family and medical leave benefits program, including
40 any necessary legislation.

1 **Sec. 6. Staff assistance. Resolved:** That the Governor’s Office of Policy
2 Innovation and the Future shall provide necessary staffing services to the commission.
3 Upon request, the Department of Labor, the Department of Health and Human Services
4 and the Department of Administrative and Financial Services, Office of Information
5 Technology and Maine Revenue Services shall provide any additional staffing assistance
6 to the commission.

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

10 **Sec. 8. Transfers from Department of Professional and Financial**
11 **Regulation Other Special Revenue Funds balances to General Fund.**
12 **Resolved:** That, at the close of fiscal year 2020-21, the State Controller shall transfer
13 \$200,000 from available balances in Other Special Revenue Funds accounts within the
14 Department of Professional and Financial Regulation to the General Fund unappropriated
15 surplus to support the purposes of the commission. On or before June 30, 2021, the
16 Commissioner of Professional and Financial Regulation shall determine from which
17 accounts the funds will be transferred so that the sum equals \$200,000 and notify the
18 State Controller and the joint standing committee of the Legislature having jurisdiction
19 over appropriations and financial affairs of the amounts to be transferred from each
20 account.

21 **Sec. 9. Appropriations and allocations. Resolved:** That the following
22 appropriations and allocations are made.

23 **EXECUTIVE DEPARTMENT**

24 **Office of Policy Innovation and the Future Z135**

25 Initiative: Appropriates funds to contract for and complete an actuarial study of the paid
26 family and medical leave benefits program.

27	GENERAL FUND	2019-20	2020-21
28	All Other	\$0	\$200,000
29			
30	GENERAL FUND TOTAL	\$0	\$200,000
31			

32 **SUMMARY**

33 This amendment replaces the bill and is the majority report of the committee. The
34 amendment establishes the Commission To Develop a Paid Family and Medical Leave
35 Benefits Program.

36 The amendment also transfers and appropriates funds for the costs of an actuarial

COMMITTEE AMENDMENT “ ” to H.P. 1023, L.D. 1410

1 study of the paid family and medical leave benefits program developed by the
2 commission.

3

FISCAL NOTE REQUIRED

4

(See attached)