



132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1400

H.P. 922

House of Representatives, April 1, 2025

**An Act to Exempt Certain Public School Districts and Their
Employees from the Paid Family and Medical Leave Benefits
Program**

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CARLOW of Buxton.

Cosponsored by Representatives: HAGGAN of Hampden, MORRIS of Turner.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 26 MRSA §850-F, sub-§8-A** is enacted to read:

3 **8-A. School districts exemption.** A school district that meets the requirements of
4 section 850-S is not required to remit premiums to the fund under this section.

5 **Sec. 2. 26 MRSA §850-S** is enacted to read:

6 **§850-S. Substitution of benefits provided by school districts**

7 An employer that is a school district meets its obligations under this subchapter if:

8 **1. Substantially equivalent benefits.** The school district provided family leave and
9 medical leave benefits substantially equivalent to those provided under this subchapter
10 pursuant to a collective bargaining agreement in effect on January 1, 2025; and

11 **2. Continually maintains benefits.** The school district continually maintains paid
12 family leave and medical leave benefits for employees substantially equivalent to those
13 provided under this subchapter pursuant to a collective bargaining agreement or other
14 contractual agreement, including benefits for sick leave and family sick leave, that accrue
15 annually to at least 12 weeks of leave.

16 **Sec. 3. Department of Labor to refund contributions made by school**
17 **districts.** The Department of Labor shall refund contributions made to the department
18 pursuant to the Maine Revised Statutes, Title 26, section 850-F made by a school district
19 that meets the requirements of Title 26, section 850-S. A school district employer that
20 deducted a portion of the premium to the employee as part of the employee's wage shall
21 remit that portion of the premium to the employee as part of the employee's wage.

22 **Sec. 4. Retroactivity.** This Act applies retroactively to October 25, 2023.

23 SUMMARY

24 This bill provides that a school district is exempt from the paid family and medical
25 leave benefits program if the school district:

26 1. Provided family leave and medical leave benefits substantially equivalent to those
27 provided in the paid family and medical leave benefits program pursuant to a collective
28 bargaining agreement in effect on January 1, 2025; and

29 2. Continually maintains substantially equivalent paid family leave and medical leave
30 benefits for employees pursuant to a collective bargaining agreement or other contractual
31 agreement, including benefits for sick leave and family sick leave, that accrue annually to
32 at least 12 weeks of leave.

33 It also requires the Department of Labor to refund contributions made to the department
34 by a school district before the school district was exempt from the paid family and medical
35 leave benefits program. It requires a school district employer that deducted a portion of the
36 premium to the employee as part of the employee's wage to remit that portion of the
37 premium to the employee as part of the employee's wage.