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Date: (Filing No. S-)

LABOR AND HOUSING

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**STATE OF MAINE
SENATE
130TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 688, L.D. 1952, “Resolve, To Extend the Commission To Develop a Paid Family and Medical Leave Benefits Program”

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

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

Amend the resolve by striking out everything after the title and before the emergency clause and inserting the following:

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Commission To Develop a Paid Family and Medical Leave Benefits Program established in Resolve 2021, chapter 122 was required to submit a report relating to the commission's duties by February 1, 2022 but was unable to complete the duties required of it; and

Whereas, the commission must be reestablished before the 90-day period expires in order that the commission's work may be completed and a report submitted in time for submission to the next legislative session; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Commission reestablished. Resolved: That the Commission To Develop a Paid Family and Medical Leave Benefits Program, referred to in this resolve as "the commission," originally established in Resolve 2021, chapter 122 is reestablished.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 12 voting members as follows:

COMMITTEE AMENDMENT

1 1. Two members of the Senate appointed by the President of the Senate, including a
2 member from each of the 2 parties holding the largest number of seats in the Legislature;

3 2. Two members of the House of Representatives appointed by the Speaker of the
4 House, including a member from each of the 2 parties holding the largest number of seats
5 in the Legislature;

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

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

9 B. One employer with more than 50 employees;

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

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

12 B. One employer with 50 or fewer employees; and

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

14 5. Two members appointed by the Governor as follows:

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

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

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

18 To the greatest extent practicable, the appointing authorities shall reappoint the persons
19 they appointed to the Commission To Develop a Paid Family and Medical Leave Benefits
20 Program under Resolve 2021, chapter 122.

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

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

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

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

38 2. Contract for and complete an actuarial study of the planned program under
39 subsection 1, including start-up costs and ongoing costs of the program, the economic

1 impact on and benefits to the State and the contributions needed to maintain the solvency
2 of the program; and

3 3. Based on the actuarial study in subsection 2 and other factors considered by the
4 commission, make recommendations to implement a paid family and medical leave
5 benefits program, including any necessary legislation.

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

14 **Sec. 7. Report. Resolved:** That, no later than November 2, 2022, the commission
15 shall submit a report that includes its findings and recommendations, including suggested
16 legislation, for presentation to the First Regular Session of the 131st Legislature.

17 **Sec. 8. Additional funding sources. Resolved:** That the commission may apply
18 for and receive funds, grants or contributions from public and private sources to support its
19 activities. All funding is subject to approval by the Legislative Council in accordance with
20 its policies.

21 **Sec. 9. Funds carried forward. Resolved:** That funds appropriated or allocated
22 pursuant to Resolve 2021, chapter 122 do not lapse but must be carried forward into the
23 next fiscal year to be used for the purpose for which the funds were provided.'

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

26 SUMMARY

27 This amendment replaces the resolve. The amendment reestablishes the Commission
28 To Develop a Paid Family and Medical Leave Benefits Program, which was established in
29 Resolve 2021, chapter 122, and requires the commission to submit a report for presentation
30 to the First Regular Session of the 131st Legislature no later than November 2, 2022. The
31 amendment retains the provision in the resolve that provides that funds appropriated or
32 allocated pursuant to Resolve 2021, chapter 122 do not lapse but must be carried forward
33 into the next fiscal year to be used for the purpose for which the funds were provided. The
34 amendment requires the appointing authorities, to the greatest extent practicable, to
35 reappoint the persons they appointed to the former commission.

36 FISCAL NOTE REQUIRED

37 (See attached)