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STATE OF MAINE  
ONE HUNDRED AND THIRTY-FIRST LEGISLATURE  
COMMITTEE ON LABOR AND HOUSING

MEMORANDUM

TO: Senator Margaret Rotundo, Senate Chair  
Representative Melanie Sachs, House Chair  
Joint Standing Committee on Appropriations and Financial Affairs

FROM: Senator Mike Tipping, Senate Chair *MT*  
Representative Amy Roeder, House Chair *AR*  
Joint Standing Committee on Labor and Housing

DATE: March 13, 2024

SUBJ: Supplemental budget recommendations

The Joint Standing Committee on Labor and Housing (“LBHS Committee”) on Thursday, March 7, and Tuesday, March 12, reviewed the budget items pertaining to the agencies under its jurisdiction in the Governor’s proposed supplemental budget (LD 2214).

At the meeting on March 12, the Committee members present voted *unanimously* to include all initiatives, *except that a minority of the Committee members present voted against* the following: Ref. #s 655, 656, 625, 626 and 627.<sup>1</sup> Attached please find the "LBHS Part A Report-back Template" on which the Committee has recorded its votes on the individual budget initiatives.

Members voting in opposition to Ref. #s 655 and 655 expressed that these initiatives and their funding would better be served to fund LD 1761, discussed below. Members voting in opposition to Ref. #s 625, 626 and 627 expressed concern with an apparent shift by the Department of Labor from education of labor practices and violations to enforcement of labor practices and violations.

Additionally, the Committee provides the following *unanimous* narrative and recommendations.

<sup>1</sup> In favor were Sen. Tipping, Rep. Roeder, Rep. Gere, Rep. Skold and Rep. Russell. Against were Rep. Bradstreet, Rep. Drinkwater and Rep. Soboleski. Absent were Sen. Daughtry, Sen. Pouliot, Rep. Malon, Rep. Geiger and Rep. Galletta.

## Retirement

As the Committee has written in its previous memorandums to the Joint Standing Committee on Appropriations and Financial Affairs, it once again **URGES** that the AFA Committee act to remedy longstanding changes to the retirement system that left many retirees without a proper pension. Ideally, this would be the full funding of LD 70, "*An Act to Raise the Cap on Retirement Benefits for State Employees and Teachers to Which a Cost-of-living Adjustment Is Made.*" This would allow for an annual cost-of-living adjustment provision for retirees of up to 3%, based on the Consumer Price Index, on up to \$40,000 of the retiree's benefit. LD 70 has a fiscal note of about \$745M and is currently sitting on the Special Appropriations Table.

However, given the large fiscal note, addressing the retirement issue by making incremental changes that benefit retirees is the next best step, and the Committee pleads with the AFA Committee to do so. One such way to do so is by funding a "one-year implementation" of LD 70 by enacting a provision that would fund a cost-of-living adjustment for retirees for the fiscal year 2024-25 only that would apply up to \$40,000 of the retirees' benefit portion, instead of the current amount of a little over \$25,000. The fiscal note for this is estimated to be between \$20M-\$40M. This legislation is pending as LD 457 before the Joint Standing Committee on Taxation, with much effort and work by Rep. Skold.

The Committee also unanimously recommends funding LD 1761, "*An Act to Include Certain Mental Health Workers Under the 1998 Special Plan for Retirement.*" The fiscal note is a little over \$8M. This bill would allow employees of the Riverview Psychiatric Facility and Dorothea Dix Psychiatric Center to participate in the 1998 Special Plan. The Committee heard harrowing testimony from employees at these facilities last session, as discussed in a letter to the Government Oversight Committee.

The Committee urges the AFA Committee to come up with a solution to fund the two proposals above in the absence of a comprehensive solution for retirement plan fixes. The Committee knows that absent full funding of LD 70, any change to retirement plan benefits will be a temporary patch, but that temporary patch makes a difference in retirees' financial situations.

The Committee is fatigued of having to remind the public that retirees are struggling through no fault of their own.

The Committee appreciates any progress and forward momentum that can be achieved on this issue.

Please let us know if we can provide any additional information or assistance in connection with budget items related to the agencies under our jurisdiction. Thank you for your consideration of our recommendations.

Cc: Members, Joint Standing Committee on Labor and Housing  
Members, Joint Standing Committee on Appropriations and Financial Affairs

**Sec. A-20. Appropriations and allocations.**

The following appropriations and allocations are made.

**LABOR, DEPARTMENT OF**

**Administration - Bureau of Labor Standards 0158**

Initiative: Provides funding for the Wage Recovery Fund.

Ref. #: 623

Committee Vote:

8-0 IN

AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

**2022-23**

**2023-24**

**2024-25**

All Other

\$0

\$0

\$200,000

**OTHER SPECIAL REVENUE FUNDS TOTAL**

\$0

\$0

\$200,000

**Notes:**

See Part ZZ

**Justification:**

MSRA 26 §626-A authorizes the Department of Labor to collect back wages owed on behalf of the workers affected. In 2023, the department collected \$108,000 on behalf of workers and made restitution payments to the affected workers. This request establishes a baseline allocation for the account.

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**Administration - Labor 0030**

Initiative: Provides funding for the approved reclassification of one Secretary Associate Supervisor position to an Office Specialist I Supervisor position, retroactive to January 25, 2023. This initiative also provides funding for related All Other costs.

Ref. #: 620

Committee Vote:

8-0 IN

AFA Vote: \_\_\_\_\_

**GENERAL FUND**

**2022-23**

**2023-24**

**2024-25**

Personal Services

\$0

\$209

\$123

**GENERAL FUND TOTAL**

\$0

\$209

\$123

Ref. #: 621

Committee Vote:

8-0 IN

AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

**2022-23**

**2023-24**

**2024-25**

Personal Services

\$0

\$2,515

\$1,496

All Other

\$0

\$57

\$34

**OTHER SPECIAL REVENUE FUNDS TOTAL**

\$0

\$2,572

\$1,530

**Justification:**

This employee-initiated reclassification was approved by the Bureau of Human Resources on October 26, 2023.

**Employment Security Services 0245**

Initiative: Provides funding to match anticipated revenues for 3 unemployment insurance federal American Rescue Plan Act of 2021 grants.

Ref. #: 636                      One Time                      Committee Vote: 8-0 IN                      AFA Vote: \_\_\_\_\_

<b>FEDERAL EXPENDITURES FUND - ARP</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
Personal Services	\$0	\$0	\$118,074
All Other	\$0	\$0	\$820,963
<b>FEDERAL EXPENDITURES FUND - ARP TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$939,037</b>

**Justification:**

To provide funding for the American Rescue Plan Act grants including the Unemployment Insurance Equity, Unemployment Insurance Integrity, and Unemployment Insurance Tiger Team grants.

**Employment Security Services 0245**

Initiative: Continues and makes permanent 3 Hearings Examiner positions, one UC Eligibility Agent position, one Unemployment Compensation Regional Manager position and one Unemployment Compensation Team Leader position previously continued by Public Law 2023, chapter 17; one Assistant Unemployment Compensation Team Leader position and 2 Unemployment Compensation Team Leader positions previously continued by Public Law 2023, chapter 412; and 3 Accounting Associate II positions, 2 Accounting Specialist positions, 4 Claims Adjudicator positions, 7 Fraud Investigator positions, 10 Unemployment Compensation Eligibility Agent positions, 2 Unemployment Compensation Team Leader positions and one Secretary Associate Legal position previously continued by Public Law 2021, chapter 635. This initiative also provides funding for related All Other costs.

Ref. #: 637    Committee Vote: 8-0 IN    AFA Vote: \_\_\_\_\_

<b>FEDERAL EXPENDITURES FUND</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
POSITIONS - LEGISLATIVE COUNT	0.000	38.000	38.000
Personal Services	\$0	\$0	\$157,934
All Other	\$0	\$0	\$1,202
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$159,136</b>

**Justification:**

In February 2020, the Department presented a plan to shore up operations of the Bureau of Unemployment Compensation. Federal funding was no longer sufficient to support the program, and as such staffing had been reduced to the brink of being unable to effectively operate the program. Additional Other Special Revenue was authorized. Subsequently, the COVID-19 pandemic hit, and unemployment staffing had to dramatically increase in order to address the demand. 153 limited-period positions were established and another 100 contractual staff were hired. Post-pandemic, the Department is requesting that 38 of these additional positions be made permanent. Adding these positions will provide flexibility for the Department to add staffing during mild recessionary periods to address increased claims volume.

**Employment Security Services 0245**

Initiative: Provides funding to match anticipated revenues.

Ref. #: 638

Committee Vote: 8-0 IN AFA Vote: \_\_\_\_\_

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$277,093	\$277,093
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	\$0	\$277,093	\$277,093

**Justification:**

Collections in the Special Administrative Account have been higher than originally budgeted. This request increases the Other Special Revenue Funds allocation to match anticipated revenues going forward.

**Employment Services Activity 0852**

Initiative: Establishes 2 Labor and Safety Inspector positions and provides funding for related All Other costs.

Ref. #: 644 Committee Vote: 8-0 IN AFA Vote: \_\_\_\_\_

<b>FEDERAL EXPENDITURES FUND</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	2.000
Personal Services	\$0	\$0	\$189,906
All Other	\$0	\$0	\$5,483
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	\$0	\$0	\$195,389

**Justification:**

Federal law requires that housing inspections be conducted prior to occupancy of H2A (agricultural foreign worker program) workers. In 2018, 39 employers participated in the program. The number of employers participating increased to 114 in 2023. Each employer generates at least one housing inspection and some generate multiple inspections, depending on the number of workers, locations and size of housing units. This activity is funded by the Foreign Labor federal grant.

**Employment Services Activity 0852**

Initiative: Transfers one CareerCenter Consultant position from 100% Employment Services Activity program to 100% Maine Apprenticeship Program within the same fund and one Customer Representative Associate II position from 100% Employment Services Activity program, Other Special Revenue Funds to 100% Maine Apprenticeship Program, Federal Expenditures Fund. This initiative also adjusts funding for related All Other costs.

Ref. #: 645 Committee Vote: 8-0 IN AFA Vote: \_\_\_\_\_

<b>FEDERAL EXPENDITURES FUND</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)	(1.000)
Personal Services	\$0	(\$81,728)	(\$85,955)
All Other	\$0	(\$2,360)	(\$2,482)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	\$0	(\$84,088)	(\$88,437)

Ref. #: 646

Committee Vote: 8-0 IN

AFA Vote: \_\_\_\_\_

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)	(1.000)
Personal Services	\$0	(\$73,040)	(\$77,485)
All Other	\$0	(\$2,109)	(\$2,237)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$75,149)</b>	<b>(\$79,722)</b>

**Justification:**

Public Law 2023, chapter 412 created a unique account for the Maine Apprenticeship Program in order to increase transparency of this important program. In addition to the six positions previously transferred, two additional positions are wholly assigned to the Maine Apprenticeship Program as well. This initiative transfers these positions from the Employment Services Activities program to the Maine Apprenticeship Program in the Federal Expenditures Fund.

**Employment Services Activity 0852**

Initiative: Transfers and reallocates the cost of one Clerk IV position from 80% Federal Expenditures Fund and 20% General Fund to 100% General Fund within the same program.

Ref. #: 647

Committee Vote: 8-0 IN

AFA Vote: \_\_\_\_\_

<b>GENERAL FUND</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	1.000
Personal Services	\$0	\$0	\$65,506
All Other	\$0	\$0	\$6,520
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$72,026</b>

Ref. #: 648

Committee Vote: 8-0 IN

AFA Vote: \_\_\_\_\_

<b>FEDERAL EXPENDITURES FUND</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	(1.000)
Personal Services	\$0	\$0	(\$65,506)
All Other	\$0	\$0	(\$8,600)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$74,106)</b>

**Justification:**

The Worker Opportunity Tax Credit federal program provides federal tax incentives for employers that hire individuals who meet certain eligibility criteria, such as being a TANF or SNAP recipient, a qualified ex-felon, a summer youth program employee, or a qualifying veteran. The federal program is designed to encourage the hiring of individuals with barriers to employment and to provide a financial incentive to employers for their hiring practices. The federal grant does not provide sufficient administrative funding to conduct timely reviews of the employer applications. Therefore, Maine employers wait many months before getting the benefit of the federal tax credit.

**Employment Services Activity 0852**

Initiative: Reduces allocation in the Department of Labor for career exploration services that will be provided by the Department of Education.

Ref. #: 649

One Time

Committee Vote:

8-0 IN

AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

	2022-23	2023-24	2024-25
All Other	\$0	(\$1,500,000)	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$1,500,000)</b>	<b>\$0</b>

**Justification:**

Public Law 2023, chapter 412, section CCCCC-1 provided funding to the Department of Labor to be used for career exploration services targeted to high school students. The Department of Education's existing career exploration programming is already underway. This initiative reduces allocation in the Department of Labor and will provide the resources to extend the existing career exploration grants in the Department of Education.

**Maine Apprenticeship Program Z375**

Initiative: Transfers one CareerCenter Consultant position from 100% Employment Services Activity program to 100% Maine Apprenticeship Program within the same fund and one Customer Representative Associate II position from 100% Employment Services Activity program, Other Special Revenue Funds to 100% Maine Apprenticeship Program, Federal Expenditures Fund. This initiative also adjusts funding for related All Other costs.

Ref. #: 651

Committee Vote:

8-0 IN

AFA Vote: \_\_\_\_\_

**FEDERAL EXPENDITURES FUND**

	2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	0.000	2.000	2.000
Personal Services	\$0	\$154,768	\$163,440
All Other	\$0	\$4,468	\$4,719
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$159,236</b>	<b>\$168,159</b>

**Justification:**

Public Law 2023, chapter 412 created a unique account for the Maine Apprenticeship Program in order to increase transparency of this important program. In addition to the six positions previously transferred, two additional positions are wholly assigned to the Maine Apprenticeship Program as well. This initiative transfers these positions from the Employment Services Activities program to the Maine Apprenticeship Program in the Federal Expenditures Fund.

**Paid Family and Medical Leave Insurance Fund Z383**

Initiative: Transfers one Public Service Executive III position, one Public Service Manager III position, one Public Service Manger II position, 3 Office Associate II positions, 2 Management Analyst II positions, 2 Tax Section Manager positions, one Labor Program Specialist position, one Senior Hearing Examiner position, 4 Accounting Associate II positions, 4 Accounting Specialist positions, 4 Hearings Examiner positions, one Financial Analyst position, 3 Field Advisor Examiner positions and 3 Auditor II positions from Other Special Revenue Funds to the Paid Family and Medical Leave Insurance Fund within the same program to establish and administer the paid family and medical leave benefits program.

Ref. #: 653

Committee Vote:

8-0 IN

AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

	2022-23	2023-24	2024-25
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POSITIONS - LEGISLATIVE COUNT	0.000	0.000	(31.000)
Personal Services	\$0	\$0	(\$2,646,300)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$2,646,300)</b>

Ref. #: 654

Committee Vote:

8-0 IN

AFA Vote: \_\_\_\_\_

<b>PAID FAMILY AND MEDICAL LEAVE INSURANCE FUND</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	31.000
Personal Services	\$0	\$0	\$2,646,300
<b>PAID FAMILY AND MEDICAL LEAVE INSURANCE FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,646,300</b>

**Notes:**

See Part YY

**Justification:**

Public Law 2023, chapter 412 established the Paid Family and Medical Leave Program. This initiative transfers funding from Other Special Revenue Funds to an Enterprise Fund.

**Paid Family and Medical Leave Insurance Fund Z383**

Initiative: Adjusts funding in the Paid Family and Medical Leave Insurance Fund program by increasing the allocation in the Paid Family and Medical Leave Insurance Fund and reducing the allocation in Other Special Revenue Funds to accurately reflect the expenditures associated with implementing and administering the paid family and medical leave benefits program.

Ref. #: 655

Committee Vote:

5-3 IN

AFA Vote: \_\_\_\_\_

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$0	(\$10,015,000)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$10,015,000)</b>

Ref. #: 656

Committee Vote:

5-3 IN

AFA Vote: \_\_\_\_\_

<b>PAID FAMILY AND MEDICAL LEAVE INSURANCE FUND</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$0	\$10,015,000
<b>PAID FAMILY AND MEDICAL LEAVE INSURANCE FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$10,015,000</b>

**Notes:**

See Part YY



**Justification:**

Public Law 2023, chapter 412 established the Paid Family and Medical Leave Program. This initiative transfers funding from Other Special Revenue Funds to an Enterprise Fund.

**Regulation and Enforcement 0159**

Initiative: Transfers one Labor and Safety Inspector position from 100% Safety Education and Training Programs program, Other Special Revenue Funds to 100% Regulation and Enforcement program, General Fund. This initiative also provides funding for related All Other costs.

Ref. #: 625

Committee Vote: 5-3 IN

AFA Vote: \_\_\_\_\_

GENERAL FUND	2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	1.000
Personal Services	\$0	\$0	\$93,823
All Other	\$0	\$0	\$4,169
GENERAL FUND TOTAL	\$0	\$0	\$97,992

**Justification:**

The position is primarily responsible for youth work permits. While some of this work entails education and outreach, it is not in line with the purposes of the Safety Education and Training Fund (SETF), which currently funds the position. Further, SETF funding prohibits enforcement activities, meaning this position cannot pursue possible violations regarding employment of minors.

**Regulation and Enforcement 0159**

Initiative: Reallocates the cost of one Staff Development Coordinator position from 100% Safety Education and Training Programs program, Other Special Revenue Funds to 50% Safety Education and Training Programs program, Other Special Revenue Funds and 50% Regulation and Enforcement program, General Fund in order to conduct outreach and education for Maine labor laws.

Ref. #: 626

Committee Vote: 5-3 IN

AFA Vote: \_\_\_\_\_

GENERAL FUND	2022-23	2023-24	2024-25
Personal Services	\$0	\$0	\$53,276
GENERAL FUND TOTAL	\$0	\$0	\$53,276

**Justification:**

The Staff Development Coordinator would conduct outreach and education for Maine labor laws.

**Regulation and Enforcement 0159**

Initiative: Reallocates the cost of one Statistician II position from 100% Safety Education and Training Programs program, Other Special Revenue Funds to 50% Safety Education and Training Programs program, Other Special Revenue Funds and 50% Regulation and Enforcement program, General Fund and provides funding for data analysis and storage in support of the annual survey of wage rates.

Ref. #: 627

Committee Vote: 5-3 IN AFA Vote: \_\_\_\_\_

<b>GENERAL FUND</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
Personal Services	\$0	\$0	\$36,796
All Other	\$0	\$0	\$53,440
<b>GENERAL FUND TOTAL</b>	\$0	\$0	\$90,236

**Justification:**

The Safety Education and Training Other Special Revenue Fund is currently funding the costs of conducting the annual Construction Wage Survey. This function is more appropriately funded by the general fund. This request covers 50% of a position, Oracle storage costs, and one-time programming costs.

**Regulation and Enforcement 0159**

Initiative: Provides funding for the proposed reorganization of 7 Occupational Safety Specialist positions from range 23 to range 25. This initiative also provides funding for related All Other costs.

Ref. #: 628

Committee Vote: 8-0 IN AFA Vote: \_\_\_\_\_

<b>GENERAL FUND</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
Personal Services	\$0	\$0	\$5,909
<b>GENERAL FUND TOTAL</b>	\$0	\$0	\$5,909

Ref. #: 629

Committee Vote: 8-0 IN AFA Vote: \_\_\_\_\_

<b>FEDERAL EXPENDITURES FUND</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
Personal Services	\$0	\$0	\$21,244
All Other	\$0	\$0	\$315
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	\$0	\$0	\$21,559

**Justification:**

As a result of new federal Occupational Safety and Health regulations the inspectors will be required to conduct heat and air quality testing as part of inspections which is a more advanced skill set.

**Rehabilitation Services 0799**

Initiative: Continues one limited-period Rehabilitation Services Manager position and one limited-period Rehabilitation Counselor I position previously established by Financial Order in fiscal year 2023-24 and provides one-time funding for related All Other costs. These positions end on June 7, 2025.

Ref. #: 640

One Time

Committee Vote: 8-0 IN AFA Vote: \_\_\_\_\_

<b>FEDERAL EXPENDITURES FUND</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
Personal Services	\$0	\$0	\$196,355
All Other	\$0	\$0	\$79
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$196,434</b>

**Justification:**

The Department of Labor received a new five-year federal grant. These positions were created in fiscal year 2024 and need to be continued in fiscal year 2025. The US Department of Education Pathways to Partnerships grant was awarded to enhance systematic approaches to transition services for youth with disabilities. The funding is provided through September 2028.

**Rehabilitation Services 0799**

Initiative: Provides funding for the approved reorganization of one Secretary Associate position to a Rehabilitation Counselor I position and related All Other costs.

Ref. #: 641

Committee Vote: 8-0 IN AFA Vote: \_\_\_\_\_

<b>FEDERAL EXPENDITURES FUND</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
Personal Services	\$0	\$0	\$2,784
All Other	\$0	\$0	\$1
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,785</b>

**Justification:**

The department reorganizes and reclassifies positions as needed to optimize position functions and efficiency of service delivery. The Rehabilitation Counselor I classification is more appropriate for the type of work to be performed. This reorganization has been approved by the Bureau of Human Resources.

**Rehabilitation Services 0799**

Initiative: Provides funding for the approved range change of one State Accessibility Coordinator position from range 24 to range 26 and related All Other costs.

Ref. #: 642

Committee Vote: 8-0 IN AFA Vote: \_\_\_\_\_

<b>FEDERAL EXPENDITURES FUND</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>
Personal Services	\$0	\$4,468	\$7,494
All Other	\$0	\$2	\$3
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$4,470</b>	<b>\$7,497</b>

**Justification:**

This management-initiated range change was approved by the Bureau of Human Resources on November 17, 2023.

**Safety Education and Training Programs 0161**

Initiative: Transfers one Labor and Safety Inspector position from 100% Safety Education and Training Programs program, Other Special Revenue Funds to 100% Regulation and Enforcement program, General Fund. This initiative also provides funding for related All Other costs.

Ref. #: 631

Committee Vote: 8-0 IN AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS	2022-23	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	(1,000)
Personal Services	\$0	\$0	(\$93,823)
All Other	\$0	\$0	(\$5,624)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	(\$99,447)

**Justification:**

The position is primarily responsible for youth work permits. While some of this work entails education and outreach, it is not in line with the purposes of the Safety Education and Training Fund (SETF), which currently funds the position. Further, SETF funding prohibits enforcement activities, meaning this position cannot pursue possible violations regarding employment of minors.

**Safety Education and Training Programs 0161**

Initiative: Reallocates the cost of one Staff Development Coordinator position from 100% Safety Education and Training Programs program, Other Special Revenue Funds to 50% Safety Education and Training Programs program, Other Special Revenue Funds and 50% Regulation and Enforcement program, General Fund in order to conduct outreach and education for Maine labor laws.

Ref. #: 632

Committee Vote: 8-0 IN AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS	2022-23	2023-24	2024-25
Personal Services	\$0	\$0	(\$53,276)
All Other	\$0	\$0	(\$791)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	(\$54,067)

**Justification:**

The Staff Development Coordinator would conduct outreach and education for Maine labor laws.

**Safety Education and Training Programs 0161**

Initiative: Reallocates the cost of one Statistician II position from 100% Safety Education and Training Programs program, Other Special Revenue Funds to 50% Safety Education and Training Programs program, Other Special Revenue Funds and 50% Regulation and Enforcement program, General Fund and provides funding for data analysis and storage in support of the annual survey of wage rates.

Ref. #: 633

Committee Vote: 8-0 IN AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS	2022-23	2023-24	2024-25
Personal Services	\$0	\$0	(\$36,796)
All Other	\$0	\$0	(\$546)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$37,342)</b>

**Justification:**

The Safety Education and Training Other Special Revenue Fund is currently funding the costs of conducting the annual Construction Wage Survey. This function is more appropriately funded by the general fund. This request covers 50% of a position, Oracle storage costs, and one-time programming costs.

**Safety Education and Training Programs 0161**

Initiative: Provides funding for the proposed reorganization of 7 Occupational Safety Specialist positions from range 23 to range 25. This initiative also provides funding for related All Other costs.

Ref. #: 634

Committee Vote: 8-0 IN AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS	2022-23	2023-24	2024-25
Personal Services	\$0	\$0	\$4,399
All Other	\$0	\$0	\$65
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4,464</b>

**Justification:**

As a result of new federal Occupational Safety and Health regulations the inspectors will be required to conduct heat and air quality testing as part of inspections which is a more advanced skill set.

**LABOR, DEPARTMENT OF**

DEPARTMENT TOTALS	2022-23	2023-24	2024-25
GENERAL FUND	\$0	\$209	\$319,562
FEDERAL EXPENDITURES FUND	\$0	\$79,618	\$588,416
OTHER SPECIAL REVENUE FUNDS	\$0	(\$1,295,484)	(\$12,448,791)
FEDERAL EXPENDITURES FUND - ARP	\$0	\$0	\$939,037
PAID FAMILY AND MEDICAL LEAVE INSURANCE FUND	\$0	\$0	\$12,661,300
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>(\$1,215,657)</b>	<b>\$2,059,524</b>

PART YY

5-3 IN

**Sec. YY-1. Transfer of funds.** Notwithstanding any provision of law to the contrary, the State Controller shall transfer any unobligated balances remaining in the Paid Family and Medical Leave Insurance Fund program, Other Special Revenue Funds account to the Paid Family and Medical Leave Insurance Fund program at the end of fiscal year 2023-24.

PART YY  
SUMMARY

This Part transfers funding from the Other Special Revenue Fund account to the Paid Family and Medical Leave Insurance Fund, an Enterprise Fund account within the Department of Labor, Paid Family and Medical Leave Insurance Fund program to accurately reflect the expenditures associated with implementing and administering the paid family and medical leave benefits program.

PART ZZ

8-0 IN

**Sec. ZZ-1. 26 MRSA §632-A** is enacted to read:

**§632-A. Fund for recovered wages.**

1. **Fund established.** The Wage Recovery Fund is established within the Bureau of Labor Standards at the Department of Labor. The purpose of the fund is to facilitate the payment of unpaid wages, unpaid health benefits, liquidated damages or interest owed to employees or former employees of an employer when the department collects one or more of these remedies on behalf of affected employees or former employees.
2. **Administration.** The fund shall be administered by the Director of the Bureau of Labor Standards. Payment of unpaid wages, unpaid health benefits, liquidated damages, or interest to affected individuals may only be made to the extent that the department receives payment from the employer in accordance with a settlement agreement or a judgment. The department is not liable for payment of these remedies if the department does not receive the funds from the employer.
3. **Education.** As part of its settlement agreements, the department may include a provision for payment of funds towards education and public messaging regarding Maine labor laws. Funds deposited to the Maine Wage Recovery Fund that are not required for the payment of unpaid wages, unpaid health benefits, liquidated damages or interest may also be used for such education and public messaging.

4. **Fund balances.** Amounts in the Maine Wage Recovery Fund shall not lapse and must be carried forward to be used for the same purposes. Interest earned on the balance in the fund must be credited to the Maine Wage Recovery Fund.

## **PART ZZ SUMMARY**

This Part establishes the Wage Recovery Fund within the Bureau of Labor Standards in the Department of Labor to facilitate the payment of unpaid wages, unpaid health benefits, liquidated damages or interest owed to employees or former employees of an employer when the department collects one or more of these remedies on behalf of affected employees or former employees.

