



# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 717

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H.P. 493

House of Representatives, March 5, 2015

**An Act To Establish the Maine Paid Family Leave Insurance Program**

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Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

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

ROBERT B. HUNT  
Clerk

Presented by Representative DAUGHTRY of Brunswick.

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

2 **Sec. 1. 26 MRSA c. 7, sub-c. 6-C** is enacted to read:

3 **SUBCHAPTER 6-C**

4 **MAINE PAID FAMILY LEAVE INSURANCE PROGRAM**

5 **§850-A. Maine Paid Family Leave Insurance Program**

6 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
7 following terms have the following meanings.

8 **A. "Employer"** has the same meaning as in section 843, subsection 3.

9 **B. "Family medical leave"** has the same meaning as in section 843, subsection 4.

10 **C. "Program"** means the Maine Paid Family Leave Insurance Program created in this  
11 subchapter.

12 **D. "Serious health condition"** has the same meaning as in section 843, subsection 6.

13 **2. Program created.** The Maine Paid Family Leave Insurance Program is created  
14 within the Department of Labor. The program provides wage-replacement benefits to  
15 eligible persons who are on family medical leave from employment.

16 **3. Eligibility.** To be eligible for benefits, a person must be employed and must have  
17 had earnings from employment and made contributions to the program in at least 12 of  
18 the prior 52 weeks. An employee shall file a written notice with the employee's employer  
19 at least 30 days prior to commencement of the family medical leave. Failure by the  
20 employee to provide the written notice may result in delay or reduction in the benefits,  
21 except in the event the time of the leave is unforeseeable or the time of the leave changes  
22 due to unforeseeable circumstances.

23 **4. Benefits provided.** An eligible employee under this subchapter receives a weekly  
24 benefit of 2/3 of that person's average weekly wage in the 2 quarters in the preceding 52  
25 weeks in which the person's wage was highest. The maximum amount of the weekly  
26 benefit is 100% of the state average weekly wage. Benefits are provided for up to 6  
27 weeks in any 12-month period. Benefits must be reduced by workers' compensation and  
28 sick pay. Benefits may not be reduced by other disability benefits, pension payments or  
29 other earnings. The waiting period before benefits begin is 7 days, except that a benefit  
30 payment for the first 7 days must be made retroactively if the family medical leave lasts 3  
31 weeks or more.

32 **5. Fund created.** The Paid Family Leave Insurance Fund is created to collect  
33 contributions and fund benefits under this section. The fund may be used to pay  
34 administrative costs of the program and to pay benefits. The fund does not lapse but must  
35 be carried forward to implement this subchapter.

