Maine Women's Lobby 2023 Legislative Report

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131st LEGISLATURE FIRST SESSION

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MAINE WOMEN'S LOBBY LEGISLATIVE REPORT

131st Maine Legislature / First Session



It's hard to describe how it felt sitting in the House gallery, surrounded by colleagues and friends, and watching the House vote 'yea' on a system for Paid Family and Medical Leave for Maine.

Some of those activists have been working on PFML for nearly 40 years (hi, Betsy Sweet!), laying the groundwork for this transformative policy.

Passing significant policies like this one is a three-dimensional puzzle: it's a careful mix of strong policy, collaborative partnerships, managing resources, all simmering in the context of the moment (controversial bills, the Governor's opinion, and how the majority approaches a budget affect the tone and possibilities of the legislative session). It's also the work of years, as public opinion changes and grows and we learn from our own gaps and the efforts of other states. This year, the puzzle pieces for some life-changing policies came together: paid family and medical leave, childcare stabilization, and abortion access.

Still, there is work left to do. Key racial and Tribal justice bills were vetoed or didn't make it out of the Legislature. Bills to ensure pay equity for undervalued women-dominated workforces got strong votes, but failed to get funded. Birthing justice proposals were carried over for a future session. Complex bills related to sex work didn't reach agreement, leaving partners with mixed feelings.

Our systems were not built to protect us. But still, with community and commitment, we can use these systems to improve the lives of our community members. This year, the policy puzzle will result in some beautiful and transformative changes. Policy really does change lives, and we are so honored to have a part in that process.

- The Maine Women's Lobby Jean

HOW TO READ THIS REPORT

Our legislative agenda aims to build better systems for all Mainers who experience sexism and misogyny in Maine, especially women and girls, trans and nonbinary Mainers, and LGBQ+ Mainers. Each year, we select priority bills to support or oppose by choosing issues that have a specific gender impact, and which disproportionately affect communities most excluded or under-resourced. We assess whether bills align with our Biennial Policy Roadmap and strategic plan, and whether we are credible messengers on an issue. We also try to preserve our scarce resources by considering whether proposals have a real prospect of moving forward, and whether our contributions can have a meaningful effect.

This report highlights bills we supported, bills we opposed, some we proudly led, and some where we supported the leadership of our partners and allies. For each bill, we share what it does, why it matters, and where it stands now.

Many bills go "under the hammer" without a roll call (a recording of the votes of individual legislators). For bills with a roll call, we have provided a run-down of how your legislators voted. We have also provided percentage grades of how each legislator voted on relevant bills. Percentages were calculated by dividing the number of times the legislator was in alignment with our position on a bill by the total number of bills. For example, if a legislator voted with our position on six out of the nine bills highlighted, their final score would be 67%. In other words, the legislator voted in the best interest of gender equity two-thirds of the time.

This year, when you are looking at bills online, you will see that many of them were 'carried over' on March 31. When the Legislature passed a 'continuing services budget' - the core budget to keep state operations moving forward - the First Regular Session technically ended, and a special session began. Every bill that was not completed yet was carried over to the session that ran from the end of March through the middle of July.

We encourage you to thank your legislator for their support, or to reach out to them and let them know how you feel. Gender equitable public policy depends on legislators who make gender justice a priority.

GLOSSARY OF TERMINOLOGY

This short glossary doesn't cover everything, but will help in reading this report. For a full list of terms related to Maine's legislative process, visit <u>www.legislature.maine.gov</u>.

Carried Over

Bill will be brought over to the next session for further work.

Dead

Bill is placed in legislative files with no possibility of revival.

Majority Report

A majority of committee members supported this report.

Minority Report

A minority of committee members supported this report.

Ought to Pass (OTP)

Committee recommends that a bill should go forward.

Ought to Pass as Amended (OTPA)

Committee recommends that a bill should go forward with certain amendments or changes.

Ought Not to Pass (ONTP)

Committee recommends that this bill should not go forward.

Ought Not to Pass as Amended (ONTPA)

Committee recommends that this bill and its amendments should not go forward.

Signed Into Law

The Governor has signed the bill, it will become a Public Law (usually 90 days after signature).

Became a Law Without Signature

The Governor has not signed the bill, it will become Public Law anyway (usually 90 days later).

Special Appropriations Table

Bills that require funding, but aren't in the budget, go to this 'table', which has limited funds. At the end of the session, the Committee on Appropriations and Financial Affairs chooses which bills get funded.

ECONOMIC JUSTICE

We will have the wages, education, and safety net systems to live with dignity.

LD 1522 / An Act to Provide Economic Justice to Historically Disadvantaged Older Citizens by Amending the Laws Governing the Medicare Savings Program and the Elderly Low-cost Drug Program Sponsor: Fay

This bill will significantly increase eligibility for the Medicare Savings Program. By better targeting the benefits of the Medicare Savings Program to those who need it, particularly those who have been persistently economically disadvantaged through no fault of their own, LD 1522 will improve the financial resiliency of aging Mainers. This bill was a lead priority of the Maine Council on Aging, and was identified as part of our shared work with MCOA, the Cutler Institute of Health, and the Maine Health Access Foundation, to create "Economic Security of Older Women in Maine: A Data Report" in 2022.

MWL Position: Support

Final Status: Passed and signed into law as part of the state budget.

LD 1544 / An Act to Improve Economic Security for Maine Children by Establishing the Maine Dependent Tax Credit Sponsor: Terry

Maine relies on a network of family caregivers to support our communities. This bill creates a tax credit for people who are caregivers to dependents. Compared to the value that family caregivers bring to our state, a tax credit is a comparably small investment in a critical piece of our health infrastructure. LD 1544 offers an important support for these families, and for our caregiving structure as a whole. MWL Position: Support

Final Status: Passed and signed into law as part of the state budget.

ECONOMIC JUSTICE (continued)

LD 1726 / An Act to Build Maine's Economy by Supporting Child Care for Working Families Sponsor: Jackson

LD 1726 will improve access to quality child care, helping to retain and attract workers to the childcare workforce, and also helping more families afford to access care. This bill doubles the childcare workforce salary improvements, increases subsidies and access to Head Start for families who need it, and helps Maine begin the process of determining the true cost of childcare delivery. LD 1726 was the core priority for the Right From the Start Coalition, of which we are proud members.

MWL Position: Support

Final Status: Passed and signed into law as part of the state budget.

LD 1964 / An Act to Implement the Recommendations of the Commission to Develop a Paid Family and Medical Leave Benefits Program Sponsor: Daughtry

IT'S TIM

This bill establishes a Paid Family and Medical Leave system for Maine. Only 15% of working people have access to paid family leave right now. A quarter of birthing parents return to work within ten days of giving birth, and one third of the working population is caring for an aging loved one. All Maine families need to have access to paid time to care, and LD 1964 will ensure all families are healthy, thriving, and successful. This bill was led by the Maine Paid Leave Coalition, which the Maine Women's Lobby staffs and leads. MWL Position: Support

Final Status: Passed and signed into law as part of the state budget.

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Rally for Paid Family Medical Leave outside the state house.

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CIVIL RIGHTS & FREEDOM FROM DISCRIMINATION

We will experience equity and respect in all our identities.

LD 489 / An Act to Provide Equal Educational Opportunity by Adopting Rules Ensuring Nondiscrimination on the Basis of Protected Class Status in Educational Institutions Sponsor: Brennan

This bill requires the Dept of Education to review the Maine Human Rights Act every 10 years to ensure DOE policies reflect civil rights progress. In order to ensure the promise and fulfill the obligation to students guaranteed to them under the Maine Human Rights Act that the public schools they attend be inclusive and safe learning environments for all free from discrimination regardless of race, color, sex, sexual orientation or gender identity, physical or mental disability, religion, ancestry or national origin, it is time that these outdated rules be revised.

MWL Position: Support

Final Status: Signed into law by the Governor.

LD 936 / An Act to Require Disclosure of Pay Ranges and Record Keeping of Pay History Sponsor: Roeder

This bill requires an employer with more than 10 employees to ensure that any posting of an employment opening includes the position pay range, and employers must maintain a record of positions and their pay scales. This bill will increase pay equity and transparency, and which will give historically-underpaid women and BIPOC people the ability to hold employers accountable to equal pay for all. **MWL Position:** Support

Final Status:

This bill passed the House and Senate, but failed to receive funding on the Special Appropriations Table and died.

LD 1412 / RESOLUTION, Proposing an Amendment to the Constitution of Maine Establishing That All Maine Residents Have Equal Rights Under the Law Sponsor: Reckitt

This resolution proposed to amend the Constitution of Maine to ensure protection from discrimination based on gender, sexual orientation, race, ethnicity, religion, ability, age, and nation of origin. When we prevent discrimination we encourage the full participation of everyone in our State. Nowhere in the Maine Constitution does this kind of protection currently exist; an expanded ERA ensures protections for all people in Maine in our most foundational document. MWL Position: Support

Final Status:

This bill passed the House and Senate, but failed to receive the twothirds support required for a Constitutional Amendment to move forward.

SYSTEMS & REPRESENTATION

We can access the levers of democracy and are represented in democratic institutions.

LD 34 - An Act to Require a Person to Show Photographic Identification for the Purpose of Voting Sponsor: Pouliot

This bill requires voters to present a photo ID when voting, or to request a special voter ID from the state. Voter ID laws are a form of voter suppression and keep eligible voters from being able to actively participate in our political process. They are especially harmful to women who are trying to vote, as approximately 70 percent of women still change their names when getting married, which could result in exclusion from the polls if IDs do not yet line up with the legal name. MWL Position: Oppose

Final Status: Dead

LD 123 / An Act to Eliminate the Educational Purposes Exception to the Prohibition on the Dissemination of Obscene Matter to Minors Sponsor: L. Libby

This bill would eliminate an exception to the prohibition on the dissemination of "obscene" matter to minors for educational purposes in public schools. Maine schools already have systems in place to address concerns about materials. LD 123 seizes local control and opens the door for groups to restrict what information can be accessed by all Maine students. Censorship proposals like this one are especially harmful to young people trying to access information about sexual health or LGBTQ+ issues.

LD 2004 / An Act to Restore Access to Federal Laws Beneficial to the Wabanaki Nations Sponsor: Talbot Ross

Current law blocks any Federal law providing benefits to Indians from applying to the Wabanaki Nations if it affects or preempts State jurisdiction. This exclusion is unique to the Wabanaki Nations – no other federally-recognized tribes are subject to such a sweeping exclusion from Federal Indian laws. If the Legislature fails to act on LD 2004, it will be supporting the continued stagnation of economic and public safety progress for the Wabanaki Nations and other rural communities in Maine. **MWL Position:** *Oppose*

Final Status: Dead

MWL Position: Support

Final Status:

Vetoed by the Governor, and the House failed to overturn the veto.

SYSTEMS & REPRESENTATION (continued)

LD 794 / An Act to Expand the Membership of the Permanent Commission on the Status of Women Sponsor: Vitelli

This bill expands the Commission membership to include an LGBTQ+ representative and a youth representative, and adds funding for a full-time staff member to support the Commission. There is not currently dedicated staffing to ensure the Commission meets its mission of regular reporting on the status of women in Maine. This bill will make a real impact on Maine's ability to do informed work to build gender equity - which is the right thing to do, and a commonsense approach to public health, and economic development, and more.

MWL Position: Support

Final Status:

Passed and signed into law as part of the state budget.



Working with volunteers for Maine's inclusive Equal Rights Amendment

HEALTH, SAFETY, & REPRODUCTIVE JUSTICE

We will have access to quality health care that supports our mental and physical wellbeing and autonomy.

LD 348 / An Act to Make Menstrual Products Available in Certain Schools Sponsor: Cloutier

This bill would have required all schools 6-12 grade to have period products in all bathrooms. One in four students who get periods have struggled to afford period products. Not being able to afford period products can affect student attendance and academic success. LD 348 would have made sure that students who need tampons and pads can get them, and improve all students' opportunity to attend school.

LD 566 / An Act to Provide Funding for Sexual Assault Services Sponsor: Duson

This bill would have increased funding for sexual assault services, and require that the starting compensation for sexual assault advocates is at least \$45,000/year, up from the current average of \$32,000. Sexual assault service providers help survivors navigate systems and heal from sexual violence. A stable workforce with adequate compensation is required to ensure that those services remain available.

LD 1040 / An Act to Require Reimbursement for Gender-affirming Care for MaineCare Members Sponsor: Moonen

This bill prohibits the MaineCare program from discriminating in its reimbursement for medically necessary treatment based on the MaineCare member's gender identity, gender expression, or on the basis that the MaineCare member is transgender. This bill ensures that low-income trans Mainers can access the gender-affirming care that they need without a cost barrier. This bill was a top priority for the LGBTQ+ policy coalition, of which we are active members.

MWL Position: Support

Final Status:

This bill passed the House and Senate, but did not receive the funding it needed to move forward.

MWL Position: Support

Final Status:

This bill passed the House and Senate, but did not receive the funding it needed to move forward.

MWL Position: Support

Final Status: Signed into law by the Governor.

HEALTH, SAFETY, & REPRODUCTIVE JUSTICE (continued)

LD 1619 / An Act to Improve Maine's Reproductive Privacy Laws

Sponsor: Talbot Ross

No one should be forced to remain pregnant against the advice of their doctor. This bill ensures that abortions in Maine are possible later in pregnancy when deemed necessary in the professional judgment of a physician. Current law means that some Maine families have to travel out of state to access needed abortions later in pregnancy; LD 1916 will ensure that people can get the abortion care they need in their home state. This bill is among a collection of successful bills which made Maine the first state to expand abortion access since the end of Roe v. Wade.

MWL Position: Support

Final Status: Signed into law by the Governor.



UNDERSTANDING MAINE'S NEW PAID FAMILY AND MEDICAL LEAVE LAW



Sometimes we need to put family & health first.

LD 1964, An Act to Implement the Recommendations of the Commission to Develop a Paid Family and Medical Leave Benefits Program LD 1964 is the result of two years of bipartisan research, actuarial study, and statewide listening. It uses models that work in many other states to help Maine people afford to take time to care.

What is in the bill? The amended bill establishes a statewide program with the following components:

- **Coverage:** it covers all workers part-time, fulltime, and seasonal employees while self-employed workers can choose to opt into the program.
- **Eligibility:** Workers must have contributed to the fund, through earning at least 6 times Maine's average weekly wage (\$6,618 for July 2023 June 2024) in the past 12 months.
- **Contributions:** Employers and workers would each contribute a small, equal amount to a state fund each pay period. This would be 1% or less of weekly wages.
- **Reasons for leave:** Individuals can take leave for qualified reasons, including to care for themselves or a family member with a serious health condition, to bond with a child after birth, adoption, or foster placement, and safe leave.
- Length of leave: An individual can take up to 12 weeks for a qualified reasons.
- **Benefit amount:** The weekly benefit is determined by a person's income, but is capped at the state's average weekly wage: \$1,103 for July 2023 June 2024.
- Job protection: After 120 days of employment at a job, a person who takes leave is entitled to their job or an equivalent when they return to work.
- **Exemptions:** Small businesses do not contribute the employer portion to the fund, but employees of the small business are still eligible to take leave. Small businesses will not be required to hold temporary/seasonal jobs open for an on-leave employee if it presents a demonstrable hardship for the business.
- **Start date:** Payroll contributions start in 2025 and benefits start by May of 2026.



Preventing Fraud

Workers must meet a certain threshold of earnings to be eligible for the program. They must document their need, and have a covered reason to take leave. Based on other states with PFML programs, it is not easy to commit fraud with this many steps.

How PFML Works

Eligibility

Jamie has worked in Maine for the past 120 days (about 4 months) and earned **\$10,000.** Jamie has **contributed enough to the PFML fund to be eligible** for paid leave if needed.

Contributions

Jamie earns **\$30,000/year** at Maine Company. Jamie & Maine Company **each contribute .43% of Jamie's pay** to the PFML fund.

Reasons

Jamie's father has a stroke and **needs** assistance after his hospital discharge. Jamie gets documentation about his qualified medical need from his doctors and applies for leave.

Benefit

Jamie makes \$580 a week, or \$28 more than half the state's average weekly wage (\$552). Jamie's weekly benefit is \$515 for 12 weeks or less of leave.



Exceptions



Maine Bakery has less than 15 employees. They don't have to contribute to the PFML fund.



employed and only contributes the employee portion to the PFML fund.



Workers must be at a new employer for **120 days** before job protections kick in.

This explainer was adapted from a fact sheet created by the Maine Paid Leave Coalition and resources from coalition partner Maine Center for Economic Policy.

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2023 R		Econ	Economic Justice	stice	ΰ	Civil Rights		S	Systems & Representation	ion (Heal	Health, Safety & Reproductive Justice	ty & ustice	Score
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	MWL Position	5	5	>	5	\$	5	5		×	>	>	>	
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50	Sean C. Paulhus	>			>	A	>	۲	`	>	>	>	A	100%
51	Rebecca L. Jauch	>			>	>	>	>	\$	>	>	>	>	100%
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LL VOTES	131st MAINE HOUSE OF REPRESENTATIVES 1964		MWL Position	Roll Call # 309	Daniel Sayre	Heidi H. Sampson X	Nathan M. Carlow X	Mark John Blier	David Woodsome X	Wayne R. Parry	Lucas John Lanigan	Anne-Marie Mastraccio	Ann Marie Fredericks	Jeffrey Sean Adams	Daniel J. Hobbs	Walter Gerard Runte, Jr.	Holly T. Sargent	Thomas A. Lavigne	Tiffany Roberts	Michele Meyer	Kristi Michele Mathieson

WHY ADVOCACY?

Whether people need access to later abortions, or the economic security offered by paid family and medical leave, legislation has real impacts on the lives of Mainers. It can also build systems, like the Commission on the Status of Women, that move the needle on gender equity over time.

But the barriers to participating in legislative change are high. Bills move quickly, negotiations happen in the hallways of the State House, and legislative procedures aren't designed to be open and transparent. We know that the lived experiences of real Mainers should be informing policy decisions, but we also know that people have jobs, caretaking duties, live far away from the State House, or are called to activism in the streets or in their communities instead of under the dome.

That is why we lobby.

As lobbyists, our role is to hear from our community to find gaps in Maine, work with legislators to create bills and policy solutions, build coalitions and partnerships, and create pathways into the process for folks at home. We translate out the jargon and procedures, so that you have the information you need to be a part of the process. We are voices for feminist policy in the State House, and bring your voice into the halls of the Capitol when you can't be there.

In addition to legislative advocacy, we provide tools like the weekly legislative round-up, public bill tracker, Take Action Toolkit, and People Power Hours to open the doors of the State House all year long - because you and your voice belong inside.

You can get involved by following us on social media, staying on our email list, attending a community hour across the state, volunteering, and more. Find us on social media or at MaineWomen.Org



@MaineWomensLobby

SUPPORT GENDER JUSTICE IN MAINE

We pass laws for gender justice. You can join us.

The Maine Women's Lobby is the only statewide advocacy organization that centers gender equity across the lifespan. All of our work, including report cards like this one, are made possible by our community. Give a gift to keep us in the State House, ensuring a healthy, equitable future in Maine. Any amount makes a difference - whether it's \$25 or \$250!

Your gift today will go directly to collaborative, feminist policy advocacy, education, and organizing. Thank you for your support – and see our website for opportunities to contribute time through volunteering or taking action.

Give a gift online at mainewomen.org/donate or send a check to:

The Maine Women's Lobby & Maine Women's Lobby Education Fund 295 Water St., Suite 10 Augusta, Maine 04330





Consider a monthly contribution, which fuels our work year-round.



