

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2026

Legislative Document

No. 2180

H.P. 1467

House of Representatives, February 3, 2026

**An Act to Make Changes to the Laws Regarding the Department of
Administrative and Financial Services, Bureau of Human Resources
and the State Civil Service Appeals Board**

Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 203.

Reference to the Committee on State and Local Government suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative SALISBURY of Westbrook.

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

2 **PART A**

3 **Sec. A-1. 4 MRSA §807, sub-§3, ¶U**, as amended by PL 2025, c. 97, §2, is further
4 amended to read:

5 U. Practice, pursuant to a rule of the Supreme Judicial Court, by a law student enrolled
6 in a law school accredited by the American Bar Association; ~~or~~

7 **Sec. A-2. 4 MRSA §807, sub-§3, ¶V**, as enacted by PL 2025, c. 97, §3, is amended
8 to read:

9 V. An attorney certified by the judge advocate general of that attorney's respective
10 military branch representing Maine National Guard members in proceedings conducted
11 pursuant to Title 37-B, section 415-A;

12 **Sec. A-3. 4 MRSA §807, sub-§3, ¶W** is enacted to read:

13 W. A person who is not an attorney but is representing the State before the State Civil
14 Service Appeals Board as described in Title 5, section 7081 on a reclassification,
15 reallocation or reorganization appeal; or

16 **Sec. A-4. 4 MRSA §807, sub-§3, ¶X** is enacted to read:

17 X. A person who is not an attorney but is representing the State before an arbitrator
18 related to a grievance filed under a collective bargaining agreement.

19 **PART B**

20 **Sec. B-1. 5 MRSA §7083**, as corrected by RR 2023, c. 2, Pt. B, §§73 to 76, is
21 amended to read:

22 **§7083. Procedure for settlement**

23 A grievance or dispute between a state employee and the agency of the State by whom
24 the state employee is employed must be entertained by the appeals board upon the
25 application of the employee, as long as there has been compliance with the following
26 requirements:

27 ~~**1. Adjust dispute.** That the employee aggrieved or the employee's representative, or~~
28 ~~both, have attempted to adjust the dispute through oral communication with the employee's~~
29 ~~immediate supervisor within 7 working days of the time that the employee is aware of the~~
30 ~~grievable incident. The immediate supervisor is then required to render an oral decision to~~
31 ~~the employee within 3 working days;~~

32 ~~**2. Grievance in writing.** If the employee is dissatisfied with the oral decision of the~~
33 ~~employee's immediate supervisor, the employee or the employee's representative, or both,~~
34 ~~may, before the end of the 10th working day following the day of the oral decision, present~~
35 ~~the grievance to the employee's supervisor again, this time in written form. The supervisor~~
36 ~~is then required to make a decision in writing and present it to the employee within 10~~
37 ~~working days;~~

38 **3. Appeal Submission of grievance or dispute to department or agency head.** If
39 ~~the employee is dissatisfied with the supervisor's written decision, the employee or the~~
40 ~~employee's representative, or both, then may, before the end of the 20th working day~~

1 following receipt of the decision, appeal in writing to the department head. The Within 21
2 days of the employee becoming aware of the grievance or dispute, the employee or the
3 employee's representative, or both, shall submit the grievance or dispute in writing to the
4 department or agency head describing the employee's desired resolution. Within 21 days
5 of receiving the employee's written notice of the grievance or dispute, the department or
6 agency head shall meet with the employee or the employee's designated representative, or
7 both, within 20 working days of receipt of the employee's notice of dissatisfaction and
8 attempt to adjust the dispute. Within 5 working days of meeting with the employee or the
9 employee's representative, or both, the department or agency head shall render a decision
10 in writing to the aggrieved employee and or the employee's representative, or both.

11 If the department or agency head issues a written decision after conducting a due process
12 meeting with the employee or the employee's representative, or both, at which the
13 employee was afforded an opportunity to present information relating to proposed
14 disciplinary action issued by the department or agency head, the written decision must be
15 treated as the final written decision of the department or agency head and may be appealed
16 to the State Human Resources Officer pursuant to subsection 4 for classified employees or
17 to the appeals board pursuant to subsection 5 for unclassified employees;

18 **4. Appeal to State Human Resources Officer.** If the classified employee is
19 dissatisfied with the written decision following the meeting with of the department or
20 agency head, the employee or the employee's representative, or both, may appeal in writing
21 to the State Human Resources Officer within 7 working days of meeting with the
22 department head 21 days of receiving the written decision. The officer shall within 10
23 working 21 days reply in writing to the aggrieved employee, or the employee's
24 representative, or both, and the department or agency head involved stating the officer's
25 decision, based on the Civil Service Law and rules;

26 **5. Submission to board.** In the event the grievance is not satisfactorily adjusted under
27 subsections 1 to 3 and 4, within the time limits in those subsections, the dispute may be
28 submitted to the appeals board within 10 working 21 days following receipt of the officer's
29 written decision of the last relevant written decision from the employer pursuant to
30 subsection 3 or 4. The appeals board shall investigate the matters in controversy, shall hear
31 all interested persons who come before it and shall make a written decision, which is
32 binding on the parties involved. The appeals board's written decision must be issued within
33 30 working days after the hearing on the dispute is concluded, unless both parties agree
34 that an extension of the time limit should be allowed; and

35 **6. Procedure.** Any member of the appeals board may administer oaths and subpoena
36 and require the attendance of witnesses and the production of books, papers, public records
37 and other relevant documentary evidence or certified copies of the evidence by the
38 department or agency head pertinent to the dispute and shall do so if requested in writing
39 by any party to the dispute or the party's representative. A witness summonsed by subpoena
40 is entitled to witness fees and travel allowance in the amount allowed for appearance in
41 District Court, the costs of which must be advanced by the party requesting the subpoena
42 prior to issuance of the subpoena. A state employee subpoenaed under this subsection may
43 not lose pay to which the employee would otherwise be entitled.

44 **Sec. B-2. 5 MRSA §7084, sub-§1,** as corrected by RR 2023, c. 2, Pt. B, §77, is
45 amended to read:

1. Application for extension. The chair of the appeals board may extend any time limit specified in section 7083, subsections 1 3 to 4 5, upon written application of either party, as long as the application is submitted within the time provided for in the applicable step. Failure of an employee to pursue a grievance within the prescribed time limits constitutes an acceptance of the last response by the department or agency head. Failure of the department or agency head to respond within the stipulated time limits provided for in the applicable step constitutes an automatic waiver of that step and the employee may proceed to the next step as outlined in this section.

A. At least one day prior to the presentation submission of the employee's grievance to the employee's supervisor department or agency head, the employee's representative, if any, may have access to the work location of the employee involved during the working hours for the purpose of investigating the grievance.

B. The department or agency head may designate a representative, with authority to take appropriate action, who must be at the deputy or assistant department or agency head or labor specialist level to represent the department or agency head in section 7083, subsections ~~2 and 3~~ 2 and 4.

PART C

Sec. C-1. 5 MRSA §11, 2nd ¶, as amended by PL 2009, c. 213, Pt. BBB, §1, is further amended to read:

Any payment made in violation of the compensation plan or the rules pertaining thereto to the compensation plan or made to a person appointed or established in a position in a manner contrary to chapters 56-A, 65, 67, 71 and 372 may be recovered from the appointing authority or the State Controller, whoever is culpable, or from the sureties on the official bond of such officer or person. Action for recovery may be maintained by the State Civil Service Appeals Board or any member thereof, any officer or employee of the state service or any citizen of the State. All money recovered under this section must be paid into the State Treasury and credited to the General Fund.

Sec. C-2. 5 MRSA c. 56-A, as amended, is repealed.

SUMMARY

This bill makes various changes to the laws related to the State Civil Service Appeals Board and the Department of Administrative and Financial Services, Bureau of Human Resources and their functions.

Part A adds exemptions to the laws governing the unauthorized practice of law for a person who is not an attorney but is representing the State before the State Civil Service Appeals Board on a reclassification, reallocation or reorganization appeal or is representing the State before an arbitrator related to a grievance filed under a collective bargaining agreement.

Part B amends the laws governing the procedure an aggrieved employee and a state department or agency head must follow in order for a dispute to be submitted to the State Civil Service Appeals Board.

Part C eliminates the Employee Suggestion System.