

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 4, 2024 to March 21, 2025

FIRST SPECIAL SESSION
March 25, 2025 to June 25, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 20, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
SEPTEMBER 24, 2025

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2025

authorized representative determines necessary or appropriate. All information received is considered confidential and may not be divulged to any other person or agency, except as may be necessary for the enforcement of this subchapter.

§654. Enforcement

An employer is liable to an employee for the amount of any unpaid minimum hourly wages under this subchapter. Upon a judgment being rendered in favor of an employee in any action brought to recover unpaid minimum hourly wages under this subchapter, the judgment must include, in addition to the unpaid minimum hourly wages adjudged to be due, an additional amount equal to the unpaid minimum hourly wages as liquidated damages and costs of suit, including a reasonable attorney's fee.

An employer that violates this subchapter is subject to a fine of not less than \$50 and not more than \$200.

An employer that discharges or in any other manner discriminates against an employee because the employee makes a complaint to the director or to a district attorney concerning a violation of this subchapter is subject to a fine of not less than \$50 and not more than \$200.

The Department of Labor has exclusive authority to bring an action for unpaid wages on behalf of an employee or employees under this section.

This section may not be construed to restrict or impair any existing right available to an employee under any other section of this chapter.

In the event of a violation of this subchapter, the Attorney General may bring an action in the Superior Court to enjoin further violation of this subchapter.

§655. Unfair contracts

An employer may not be exempted from this subchapter by special contract with an employee or by any other means.

See title page for effective date.

CHAPTER 233

H.P. 391 - L.D. 623

An Act to Enhance Support Services for Individuals with an Acquired Brain Injury

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

Sec. 1. 22 MRSA §3088-A, as enacted by PL 2019, c. 488, §1, is amended to read:

§3088-A. Support for underserved populations

Within the limits of its available resources, the department may enter into contracts with dedicated brain injury organizations based in the State or with brain injury organizations representing individuals with a brain injury and their families, bringing together with an affiliate in the State established and directed by families, caregivers and individuals with an acquired brain injury residing in the State, to collaborate with the department on federal brain injury state partnership grants and bring together state and national expertise to provide core brain injury support for underserved populations of individuals with an acquired brain injury, including, but not limited to, individuals who experienced an opioid drug overdose resulting in anoxic or hypoxic brain injury, who are veterans, who are victims of domestic violence, who are experiencing homelessness, who are ineligible for MaineCare and who have a newly acquired brain injury. For the purposes of this section, "core brain injury support" includes, but is not limited to, resource facilitation, brain injury support groups, outreach designed for individuals who have a newly acquired brain injury, access to a joint state and national helpline, access to an online brain injury screening and support system, information and resource education and family caregiver training. The department may adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 234

H.P. 394 - L.D. 626

An Act to Explicitly Allow the Department of Corrections to Charge Room and Board to Residents Who Perform Remote Work in Detention and Correctional Facilities and to Amend the Laws Governing Rehabilitative Programs

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

Sec. 1. 34-A MRSA §3035, first ¶, as amended by PL 2019, c. 113, Pt. C, §88, is further amended to read:

The commissioner may adopt, implement and establish rules for rehabilitative programs, including, but not limited to, work release, education release, remote work, furlough and public service release and programs resulting in the payment of restitution, as authorized described by Title 17-A, ~~chapter 69~~ section 2016, within for residents of the facilities under the commissioner's control.

Sec. 2. 34-A MRSA §3035, sub-§1, as amended by PL 2013, c. 80, §7, is further amended to read:

1. ~~Work release and restitution, education release, remote work and public service release.~~ The chief administrative officer may permit any client resident under sentence to the department and any juvenile client residing at a facility under the commissioner's control considered to be worthy of trust to participate in activities outside the facility, including, but not limited to, work release, education release and public service release, or remote work activities within the facility under the following conditions.

- A. Activities may include training and employment.
- B. Activities are subject to rules ~~promulgated~~ adopted by the commissioner.
- C. Activities must, in the judgment of the chief administrative officer, contribute to the reformation of the client resident and assist in preparing the ~~client resident~~ client resident for eventual release.
- D. Transportation to ~~work release job sites in the community~~ work release job sites in the community must be approved by the chief administrative officer.

- (1) ~~Clients Residents~~ Clients Residents participating in the work release program may be assessed an equitable share of the cost of the transportation, not to exceed 10% of a resident's work release earnings.
- (2) Funds received from ~~clients residents~~ clients residents for work release transportation must be placed in the General Fund.

E. Every client resident participating in the work release program or in remote work activities is liable for the cost of room and board in the facility.

- (1) The reasonable cost of room and board for a client resident in a facility is fixed by the commissioner. In fixing the reasonable cost of the room and board to be paid, the commissioner shall take into consideration other state laws or judicial determinations that affect the client's resident's income. The cost of room and board may not exceed 10% of the resident's work release or remote work earnings.
- (2) Funds received from ~~clients residents~~ clients residents for the room and board must be placed in the General Fund.

See title page for effective date.

**CHAPTER 235
H.P. 445 - L.D. 706**

**An Act Regarding the Laws
Relating to Unemployment
Insurance**

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

Sec. 1. 26 MRSA §1043, sub-§3-A, as amended by PL 1995, c. 9, §1, is further amended to read:

3-A. Alternate base period. For benefit years effective on or after September 27, 1992 for any individual who fails to meet the eligibility requirements of section ~~1192, subsection 5~~ 1192-A, subsection 2, paragraph F in the base period as defined in subsection 3, the Department of Labor shall make a redetermination of eligibility based on a base period that consists of the last 4 completed calendar quarters immediately preceding the first day of the individual's benefit year. This base period is known as the "alternate base period." If wage information for the most recent quarter of the alternate base period is not available to the department from regular quarterly reports of wage information that is systematically accessible, the department shall gather the necessary data in accordance with rules established for this purpose.

If the department receives information from the employer that causes a revised monetary determination under this subsection, benefits received prior to that revision may not constitute an overpayment of benefits ~~provided as long as~~ the claimant did not knowingly misrepresent information requested by the department.

Wages that fall within the base period of claims established under this subsection are not available for reuse in qualifying for any subsequent benefit years under section ~~1192~~ 1192-A.

In the case of a combined-wage claim pursuant to the arrangement approved by the United States Secretary of Labor in accordance with section 1082, subsection 12, the base period is that base period applicable under the unemployment compensation law of the paying state.

Sec. 2. 26 MRSA §1043, sub-§5, ¶B, as amended by PL 2009, c. 271, §1, is repealed.

Sec. 3. 26 MRSA §1043, sub-§19, ¶B, as amended by PL 2017, c. 117, §3, is further amended to read:

B. For purposes of section 1191, subsection 2; section ~~1192, subsection 5~~ 1192-A, subsection 2, paragraph F; and section 1221, the term "wages" does not include:

- (1) The amount of any payment, including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any