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

may be used only for investigative and other actions within the scope of the authority of the licensing board and for determining whether the applicant for licensure or the person licensed or certified by the licensing board has engaged in unlawful activity, professional misconduct or an activity in violation of the laws or rules relating to the board or licensing board.

2. Designation of person to receive confidential information. The director shall designate a person to receive confidential information for investigative purposes.

3. Limitations on disclosure. Disclosure is limited to information that is directly related to the matter at issue. The identity of reporters and other persons may not be disclosed except as necessary and relevant. Access to the information is limited to licensing board investigators, parties to the matter at issue, parties' representatives, counsel of record, hearing officers and licensing board members who are directly involved in the adjudicatory process. The information may be used only for the purpose for which the release was intended.

4. Confidentiality at conclusion of investigation. Except as provided in section 91-B, information received pursuant to this section remains confidential at the conclusion of an investigation.

Sec. 25. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF

Emergency Medical Services 0485

Initiative: Provides funding for travel reimbursement, Attorney General office representation and expert witness fees related to the newly created Emergency Medical Services Licensing Board.

GENERAL FUND	2025-26	2026-27
All Other	$0	$20,000
GENERAL FUND TOTAL	$0	$20,000

See title page for effective date.

CHAPTER 492

H.P. 1335 - L.D. 1987

An Act to Fund Collective Bargaining Agreements with Executive Branch Employees and Continue the Voluntary Employee Incentive Program

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

Sec. 1. Adjustment of salary schedules for fiscal years 2025-26 and 2026-27. The salary schedules for the executive branch employees in bargaining units represented by the American Federation of State, County and Municipal Employees, the Maine State Troopers Association, the Maine State Law Enforcement Association, the Maine Service Employees Association, the Fraternal Order of Police and any other certified bargaining representative for an executive branch bargaining unit must be adjusted consistent with the terms of any collective bargaining agreements ratified by December 31, 2025.

Sec. 2. Adjustment of salary schedules for fiscal year 2026-27. The salary schedules for the executive branch employees in bargaining units represented by the American Federation of State, County and Municipal Employees, the Maine State Troopers Association, the Maine State Law Enforcement Association, the Maine Service Employees Association, the Fraternal Order of Police and any other certified bargaining representative for an executive branch bargaining unit must be adjusted consistent with the terms of any agreements made between May 1, 2026 and December 31, 2026, including any collective bargaining agreement achieved through the process outlined in the agreement for resolution between the State of Maine and the Maine Service Employees Association, SEIU Local 1989 effective August 29, 2024, regarding the study of the classification system for the executive branch of the State of Maine. This section does not apply to any successor collective bargaining agreement with a term beginning on or after July 1, 2025.

Sec. 3. Costs associated with the $2,000 lump-sum payment made in October 2024 per the agreement for resolution between the State of Maine and the Maine Service Employees Association, SEIU Local 1989 effective August 29, 2024.

1. An amount not to exceed $9,132,794 in the Salary Plan program, General Fund account in the Department of Administrative and Financial Services may be transferred, by financial order upon the recommendation of the State Budget Officer and approval of the Governor, to fund the $2,000 lump-sum payment made in October 2024 from non-General Fund and non-Highway Fund accounts per the agreement for resolution between the State of Maine and the Maine Service Employees Association, SEIU Local 1989 effective August 29, 2024. Funds must be transferred to the Departments and Agencies - Statewide program, General Fund account within the Department of Administrative and Financial Services.

2. Notwithstanding any provision of law to the contrary, the State Controller may authorize the transfer, in an amount not to exceed $9,132,794, of Personal Services expenditures associated with the $2,000 lump-sum payment made in October 2024 per the agreement for resolution between the State of Maine and the Maine

Service Employees Association, SEIU Local 1989 effective August 29, 2024 from any non-General Fund and non-Highway Fund account to the Departments and Agencies - Statewide program, General Fund account within the Department of Administrative and Financial Services.

3. Notwithstanding any provision of law to the contrary, the State Controller on or before July 31, 2025 shall transfer the unobligated balance from the Departments and Agencies - Statewide program, General Fund account to the Salary Plan program, General Fund account within the Department of Administrative and Financial Services.

Sec. 4. New, temporary and seasonal employees; similar and equitable treatment. The Governor is authorized to grant similar and equitable treatment consistent with this Act for employees in classifications included in bargaining units subject to collective bargaining agreements described in section 7 of this Act who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraph F.

Sec. 5. Confidential employees; similar and equitable treatment. The Governor is authorized to grant similar and equitable treatment consistent with this Act for confidential employees. For the purposes of this section, "confidential employees" means those employees within the executive branch, including probationary employees, who are in positions excluded from collective bargaining units pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs B, C, D, I and J.

Sec. 6. Employee salaries subject to Governor's adjustment or approval. The Governor is authorized to grant similar and equitable treatment consistent with this Act for those unclassified employees whose salaries are subject to the Governor's adjustment or approval.

Sec. 7. Costs to General Fund and Highway Fund. Costs to the General Fund and Highway Fund must be provided wholly or in part through a transfer of Personal Services appropriations within and between departments and agencies from the Salary Plan program, General Fund account in the Department of Administrative and Financial Services in an amount up to the full amount the Salary Plan program, General Fund account has accrued as of the date an agreement is reached with the respective bargaining agents to implement the economic terms of the most recent collective bargaining agreements, as specified in sections 1, 2 and 3 of this Act, entered into by the State and the American Federation of State, County and Municipal Employees, the Maine State Troopers Association, the Maine State Law Enforcement Association, the Maine Service Employees Association, the Fraternal Order of Police and any other certified bargaining representative for an executive branch bargaining unit to provide equitable treatment of employees excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraph F and, notwithstanding Title 26, section 979-D, subsection 1, paragraph E, subparagraph (3), to implement equitable adjustments for confidential employees.

Sec. 8. Transfer of Personal Services appropriations between programs and departments; General Fund. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law to the contrary, available balances in the General Fund for Personal Services in fiscal year 2025-26 and fiscal year 2026-27 may be transferred by financial order between programs and departments within the General Fund upon recommendation of the State Budget Officer and approval of the Governor to be used for costs associated with collective bargaining agreements for state employees, as specified in sections 1, 2 and 3 of this Act.

Sec. 9. Transfer from Salary Plan program and special account funding. The Salary Plan program, General Fund account in the Department of Administrative and Financial Services may be made available as needed in allotment by financial order upon the recommendation of the State Budget Officer and approval of the Governor to be used for the implementation of the collective bargaining agreements for state employees, as specified in sections 1, 2 and 3 of this Act, and for other economic items contained in this Act in fiscal year 2025-26 and fiscal year 2026-27. Except as outlined in section 3 of this Act, positions supported from sources of funding other than the General Fund and the Highway Fund must be funded from those other sources.

Sec. 10. Transfer of Personal Services allocations between programs and departments; Highway Fund. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law to the contrary, available balances in the Highway Fund for Personal Services in fiscal year 2025-26 and fiscal year 2026-27 may be transferred by financial order between programs and departments within the Highway Fund upon recommendation of the State Budget Officer and approval of the Governor to be used for costs associated with collective bargaining agreements for state employees, as specified in sections 1, 2 and 3 of this Act.

Sec. 11. Authorization for reimbursement of costs associated with study of classification system for executive branch. The Department of Administrative and Financial Services may be reimbursed up to $1,000,000 from the Salary Plan program, General Fund account in the Department of Administrative and Financial Services for resources necessary to conduct a study of the classification system for the executive branch of State Government, to be prepared and submitted by a consultant by December 31, 2025, as outlined in the agreement for resolution between the State of Maine and the Maine Service Employees Association, SEIU Local 1989 effective August 29, 2024.

Sec. 12. Authorization for reimbursement of costs associated with contract resolution. The Department of Administrative and Financial Services may be reimbursed from the Salary Plan program, General Fund account in the Department of Administrative and Financial Services for the costs of contract resolution, administration and implementation and other costs required by the process of collective bargaining and negotiation procedures.

Sec. 13. Voluntary employee incentive programs.

1. Notwithstanding the Maine Revised Statutes, Title 5, section 903, subsections 1 and 2, the Commissioner of Administrative and Financial Services shall offer for use special voluntary employee incentive programs for state employees, including a 50% workweek, flexible position staffing and time off without pay. Employee participation in a voluntary employee incentive program is subject to the approval of the employee's appointing authority.

2. Notwithstanding the Maine Revised Statutes, Title 5, section 285, subsection 7 and Title 5, section 903, the State shall continue to pay health and dental insurance benefits for a state employee who applies and is approved to participate in a voluntary employee incentive program under subsection 1 based upon the scheduled workweek in effect prior to the employee's participation in the voluntary employee incentive program.

3. Notwithstanding the Maine Revised Statutes, Title 5, sections 903 and 18056 and any other provision of law to the contrary, the life, accidental death and dismemberment, supplemental and dependent insurance amounts for a state employee who applies and is approved to participate in a voluntary employee incentive program under subsection 1 are based upon the scheduled hours of the employee prior to the employee's participation in the voluntary employee incentive program.

See title page for effective date.

CHAPTER 493

H.P. 99 - L.D. 166

An Act to Prohibit the Sale of Tobacco Products in Pharmacies and Retail Establishments Containing Pharmacies

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

Sec. 1. 22 MRSA §1551, sub-§6 is enacted to read:

<u>**6. Pharmacy.** "Pharmacy" means a retail pharmacy as defined in Title 24-A, section 4347, subsection 19.</u>

Sec. 2. 22 MRSA §1551-A, sub-§6 is enacted to read:

<u>**6. Pharmacies and retail establishments with a pharmacy ineligible for retail tobacco license; civil penalty; transfer of funds.** This subsection governs pharmacies and retail establishments containing a pharmacy.</u>

<u>A. A pharmacy is ineligible for a retail tobacco license. A pharmacy that engages in retail sales, including retail sales through vending machines or in free distribution of tobacco products, and sells, keeps for sale or gives away in the course of trade any tobacco products to anyone commits a civil violation for which a fine of not more than $2,000 may be adjudged. Each day a pharmacy is in violation of this paragraph constitutes a separate offense.</u>

<u>B. A retail establishment containing a pharmacy is ineligible for a retail tobacco license. A retail establishment containing a pharmacy that engages in retail sales, including retail sales through vending machines or in free distribution of tobacco products, and sells, keeps for sale or gives away in the course of trade any tobacco products to anyone commits a civil violation for which a fine of not more than $2,000 may be adjudged. Each day a retail establishment containing a pharmacy is in violation of this paragraph constitutes a separate offense.</u>

Sec. 3. 36 MRSA §4366-A, sub-§2, as amended by PL 2025, c. 388, Pt. E, §4 and affected by §6, is further amended to read:

2. Provided to sellers. The State Tax Assessor shall provide stamps to a licensed distributor upon submission by the licensed distributor of a cigarette tax return in a form prescribed by the assessor. The stamps must be of a design suitable to be affixed to packages of cigarettes as evidence of the payment of the tax imposed by this chapter. The assessor may permit a licensed distributor to pay for the stamps within 30 days after the date of purchase, if a bond satisfactory to the assessor in an amount not less than 50% of the sale price of the stamps has been filed with the assessor conditioned upon payment for the stamps. Such a distributor may continue to purchase stamps on a 30-day deferral basis only if it remains current with its cigarette tax obligations. The assessor may not sell additional stamps to a distributor that has failed to pay in full within 30 days for stamps previously purchased until such time as the overdue payment is received. ~~The assessor shall sell cigarette stamps to licensed distributors at the following discounts from their face value:~~