

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

SECOND REGULAR SESSION
JANUARY 7, 2026 to APRIL 29, 2026

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NONEMERGENCY LAWS IS
JULY 29, 2026

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

Augusta, Maine
2026

school employee committed misconduct, update the notation entered pursuant to paragraph D to reflect that finding; or

(2) If the investigation concludes, after all appeal rights are exhausted, with a finding that the school employee did not commit misconduct, remove the notation entered pursuant to paragraph D.

5. Confidentiality. The department may share information that is confidential pursuant to section 6101 or 13004 with a school entity in accordance with subsection 4. A school entity that receives confidential information shall maintain the confidentiality of that information.

7. Certification hearing officers; immunity. The commissioner shall appoint a certification hearing officer for covered investigations. For the purposes of this section, while carrying out their official duties, certification hearing officers appointed pursuant to this subsection are considered state employees and are entitled to the immunity provided state employees under the Maine Tort Claims Act.

8. Required disclosure of substantiated investigation regardless of agreement. Notwithstanding any confidentiality clause or any agreement between the school entity and a school employee, if, by a preponderance of the evidence, a school entity determines through its covered investigation pursuant to subsection 3 that a school employee committed misconduct, the information pertaining to that covered investigation and findings of misconduct must be disclosed to the department and to any school entity that requests that information.

Sec. 2. Department of Education to convene working group; report. The Department of Education shall convene a working group to review the procedures for investigations of credential holders in schools in accordance with this section.

1. The working group shall review how the investigation procedures established in the Maine Revised Statutes, Title 20-A, section 13025 are being used in approved private schools, school administrative units, public charter schools, education service centers, schools in the unorganized territory and schools operated by the State. The working group shall make recommendations to improve reporting requirements and the process by which investigations are conducted.

2. The working group must include, but is not limited to, the following members:

A. A member representing the Maine School Management Association;

B. A member representing the Maine Education Association;

C. A member who is a licensed attorney in the State and has expertise in employment law;

D. A member representing the Maine Children's Alliance;

E. A member representing the Maine Coalition Against Sexual Assault; and

F. Any other stakeholders the department considers appropriate.

3. The department shall submit a report to the joint standing committee of the Legislature having jurisdiction over education matters by January 15, 2027. The report must include the number of investigations reported to the department, the outcomes of those investigations, the number of preliminary and covered investigations, a summary of how mandated reporting requirements impact covered investigations, whether consequences for not reporting should be established, a summary of how the department identifies individuals during the employment process who have been subjects of covered investigations, a summary and recommendations on training for school employees to conduct investigations, a summary of findings related to current practices for investigations of credential holders and recommendations of the working group, including any suggested legislation, to improve those practices. The joint standing committee may report out a bill related to the report to the 133rd Legislature in 2027.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 15, 2026.

CHAPTER 698

H.P. 1407 - L.D. 2092

An Act to Update Certain Terms and References Regarding Information Technology and Cybersecurity

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

Sec. 1. 5 MRSA §1825-B, sub-§2, ¶F, as amended by PL 2023, c. 516, Pt. A, §1, is further amended to read:

F. The procurement of goods or services involves expenditures of \$25,000 or less, in which case the Director of the Bureau of General Services may accept informal written quotes or bids; ~~or~~

Sec. 2. 5 MRSA §1825-B, sub-§2, ¶G, as amended by PL 1999, c. 105, §3, is further amended to read:

G. The procurement of goods or services involves expenditures of \$10,000 or less, and procurement from a single source is the most economical, effective and appropriate means of fulfilling a demonstrated need.;

Sec. 3. 5 MRSA §1825-B, sub-§2, ¶H is enacted to read:

H. The Chief Information Officer, after reasonable investigation, has determined that the procurement of information technology products or services through the procurement offerings to state and local governments from the United States General Services Administration is in the best interest of the State; or

Sec. 4. 5 MRSA §1825-B, sub-§2, ¶I is enacted to read:

I. The Chief Information Officer, after reasonable investigation, has determined that the procurement of information security or cybersecurity products or services on a retainer basis is necessary to detect, prevent and respond to cyberattacks.

Sec. 5. 5 MRSA §1972, sub-§4-A is enacted to read:

4-A. Cyberattack. "Cyberattack" has the same meaning as in Title 37-B, section 703, subsection 1-A.

Sec. 6. 5 MRSA §1972, sub-§4-B is enacted to read:

4-B. Cybersecurity. "Cybersecurity" means the protection of information and communications technology infrastructure, systems and services affecting the enterprise and the State's critical infrastructure, whether physical or nonphysical, by detecting, preventing and responding to cyberattacks.

Sec. 7. 5 MRSA §1972, sub-§7-A is enacted to read:

7-A. Information security. "Information security" means the ability to protect or defend the information and communications technology infrastructure, systems or services affecting the enterprise or the State's critical infrastructure, whether physical or nonphysical, from unauthorized access, use, disclosure, disruption, modification or destruction to provide confidentiality, integrity and availability.

Sec. 8. 5 MRSA §1973, sub-§5, ¶B, as enacted by PL 2001, c. 388, §14, is amended to read:

B. Approve the ~~Division of Purchases'~~ standards and evaluation procedures of the division of purchases within the Department of Administrative and Financial Services, Bureau of General Services for standard information and telecommunications technology acquisitions and contracts.

Sec. 9. 5 MRSA §1974, sub-§1, as enacted by PL 2001, c. 388, §14, is amended to read:

1. Approve the acquisition and use of equipment. The Chief Information Officer, or the Chief Information Officer's designee, working with the ~~Division of Purchases~~ division of purchases within the Department of Administrative and Financial Services, Bureau of General Services and in accordance with written standards established by this chapter, shall approve acquisition and use of all data processing and telecommunications services, equipment and systems by state agencies.

Sec. 10. 5 MRSA §1974, sub-§2, as enacted by PL 2001, c. 388, §14, is amended to read:

2. Develop training and development programs in data processing. The Chief Information Officer, or the Chief Information Officer's designee, is responsible for developing training and development programs for state employees in data processing and for the implementation of these programs.

Sec. 11. 5 MRSA §1974, sub-§3, as amended by PL 2005, c. 12, Pt. SS, §12, is further amended to read:

3. Develop and administer written standards for data processing and telecommunications. The Chief Information Officer, or the Chief Information Officer's designee, shall develop and administer written standards for data processing and telecommunications. These written standards pertain to:

- A. Acquisition of equipment;
- B. Acquisition of computer software and systems;
- C. Development of computer systems and computer programs;
- D. Computer operations; ~~and~~
- D-1. Information security and cybersecurity policies, procedures and related operations; and
- E. Any other standards determined necessary by the Chief Information Officer ~~and the board~~.

Sec. 12. 5 MRSA §1975, as amended by PL 2005, c. 12, Pt. SS, §15, is further amended to read:

§1975. Noncompliance

The purchase of data processing equipment, software or services or internal systems development efforts may not be made except in accordance with this chapter. An agency may not purchase any data processing equipment, software or services without the prior written approval of the commissioner or the Chief Information Officer or the Chief Information Officer's designee. The State Controller may not authorize payment for data processing equipment, software or services without evidence of prior approval of the purchases by the commissioner or the Chief Information Officer or the Chief Information Officer's designee.

1. Noncompliance defined. A state agency is in noncompliance with this chapter if the agency:

- A. Purchases data processing equipment, software or services in noncompliance with this chapter; or
- B. Fails to adhere to the data processing standards established by the commissioner and the Chief Information Officer or the Chief Information Officer's designee.

2. Penalty. Any state agency found to be in noncompliance as defined in this section is prohibited from acquiring or purchasing data processing equipment, software and services until the commissioner or the Chief Information Officer determines that the state agency is in compliance with this chapter.

Notwithstanding the provisions of this section, the commissioner or the Chief Information Officer may act to acquire or purchase data processing equipment, software and services to maintain or meet the emergency needs of a state agency.

3. Cybersecurity services. Notwithstanding the requirements of sections 1553 and 1825-B, or any other statutory or regulatory provisions to the contrary, the Chief Information Officer, after reasonable investigation, may procure cybersecurity services on a retainer basis when determined necessary to ensure the State is prepared to detect, prevent and respond to cyberattacks.

See title page for effective date.

CHAPTER 699

H.P. 1431 - L.D. 2116

An Act to Extend the Sunset Date of the Affordable Housing Income Tax Credit

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

Sec. 1. 36 MRSA §5219-WW, sub-§3, as enacted by PL 2019, c. 555, §6, is amended to read:

3. Maximum credit; carry-forward. The total credit amount available pursuant to this section and section 2534 to be allocated by the authority for each calendar year beginning on or after January 1, 2021 and ending on or before December 31, ~~2028~~ 2036 is subject to the following limitations.

- A. The total allocation may not exceed \$10,000,000. Any portion of that amount not allocated in a calendar year may be carried forward and available to be allocated in subsequent calendar years, except that:

- (1) Any previously allocated credits returned to the authority, excluding any credits recaptured under subsection 7, must be added to that amount; and

- (2) The authority may not allocate more than \$15,000,000 in any calendar year.

B. No more than 20% of credits allocated in any calendar year may be allocated under subsection 2, paragraph B.

C. Ten percent of credits first available to be allocated in any calendar year must be set aside to be allocated for the purpose of qualified rural development preservation projects pursuant to subsection 2, paragraph B. Any portion of the amount under this paragraph not allocated in a calendar year must be carried forward and be available to be allocated in subsequent calendar years for the purpose of qualified rural development preservation projects. To the extent that any amounts set aside under this paragraph are not allocated on or before December 31, ~~2028~~ 2036, those amounts may be allocated by the authority without regard to whether the project is a qualified rural development preservation project.

D. Only those credits that have been carried forward or returned, excluding any credits recaptured under subsection 7, as described in this subsection may be allocated by the authority after December 31, ~~2028~~ 2036.

See title page for effective date.

CHAPTER 700

S.P. 813 - L.D. 2127

An Act to Increase the Cap on Bonds Issued by the Maine State Housing Authority to Reflect Current Housing Production Needs in the State

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

Sec. 1. 30-A MRSA §4907, sub-§1, as amended by PL 2023, c. 559, §1, is further amended to read:

1. Limitations on amount of outstanding principal. The Maine State Housing Authority may not at any time have an aggregate principal amount outstanding, in excess of ~~\$3,000,000,000~~ \$4,000,000,000 of mortgage purchase bonds secured by the Housing Reserve Fund or a Capital Reserve Fund to which section 4906, subsection 3, paragraph A applies. Mortgage purchase bonds of the Maine State Housing Authority secured by capital reserve funds to which section 4906,