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

compliance or noncompliance by employers and any recommendations, including suggested legislation, for ways to strengthen employer compliance with sexual harassment policies and strengthen sexual harassment prevention efforts in the workplace. The report must be submitted no later than January 1, 2026. The Joint Standing Committee on Labor may report out a bill related to the contents of the report to the Second Regular Session of the 132nd Legislature.

See title page for effective date.

CHAPTER 91

H.P. 1225 - L.D. 1830

Resolve, to Expand the Recipients of the Report on the Public Safety Health and Wellness Grant Pilot Program and Authorize Legislation to Be Submitted in Response to the Report

Sec. 1. Report on public safety health and wellness grant pilot program. Resolved: That the Department of Public Safety shall submit the report required by Public Law 2023, chapter 643, Part T, section 5 no later than January 10, 2026 to the Joint Standing Committee on Health Coverage, Insurance and Financial Services in addition to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Criminal Justice and Public Safety as required by Public Law 2023, chapter 643, Part T, section 5. After reviewing the report, the Joint Standing Committee on Health and Human Services, the Joint Standing Committee on Health Coverage, Insurance and Financial Services or the Joint Standing Committee on Criminal Justice and Public Safety may report out legislation to the Second Regular Session of the 132nd Legislature.

See title page for effective date.

CHAPTER 92

H.P. 639 - L.D. 979

Resolve, Regarding Legislative Review of Chapter 113: Assisted Housing Programs Licensing Rule, a Late-filed Major Substantive Rule of the Department of Health and Human Services

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, a major substantive rule has been submitted to the Legislature outside the legislative rule acceptance period; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of Chapter 113: Assisted Housing Programs Licensing Rule, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized only if:

1. In the rule in Part B: Residential Care Facilities, in Section 7.A, a new Section 7.A.3 is added that requires a facility's administrator to ensure that the following data is submitted to the division of licensing and certification, no less frequently than on a quarterly basis, beginning no later than 60 days after the written notice by the Department of Health and Human Services that a reporting system has been developed and is ready for facility data submission:

A. The facility's daily number of staff for each shift who were present and working each day providing direct care to residents during each shift;

B. The facility's number of staff who are working as temporary staff and were hired through a temporary nurse agency or other temporary staffing agency or Internet-based system, and the name of the agency;

C. The facility's staff turnover rate for each quarter; and

D. The facility's resident census for each day.

The Department of Health and Human Services shall submit an annual report, beginning January 2, 2027, to the joint standing committee of the Legislature having jurisdiction over health and human services matters, with the monthly average of data collected under Section 7.A. The report due January 2, 2027 must include a method to provide the data to the public on the department's publicly accessible website;

2. The requirement in the rule in Part B: Residential Care Facilities for minimum direct residential care

staff to occupied bed ratios in Section 14.B.1 that would be required after one year and 2 years of final adoption of the rule is removed and only the current ratios remain; and

3. The requirement in the rule in Part B: Residential Care Facilities for staffing requirements for memory care units in Section 17.I.2 and Section 17.I.3 that would be required after one year and 2 years of final adoption of the rule is removed.

Sec. 2. Stakeholder group to examine residential facility staffing. Resolved: That the long-term care ombudsman under the Maine Revised Statutes, Title 22, section 5107-A shall convene a stakeholder group to examine residential care facility staffing issues, referred to in this resolve as "the stakeholder group."

1. Membership. The stakeholder group must include, but is not limited to, the following:

A. A representative from the office of aging and disability services within the Department of Health and Human Services;

B. A representative from the division of licensing and certification within the Department of Health and Human Services;

C. A representative of a statewide organization representing residential care facilities;

D. A representative of a residential care facility with a memory care unit;

E. A representative of a residential care facility without a memory care unit;

F. A representative of an assisted living provider;

G. A representative from Legal Services for Maine Elders;

H. A representative from a statewide association advocating on behalf of issues related to Alzheimer's disease;

I. A representative from a statewide association advocating on behalf of the elderly;

J. A representative who has a family with a member in residential care;

K. Two employees with direct care experience working in residential care facilities who are not in facility management; and

L. Additional representatives from the long-term care ombudsman program within the Department of Health and Human Services.

2. Duties. The stakeholder group shall examine issues of staffing in residential care facilities as governed by Department of Health and Human Services rule Chapter 113: Assisted Housing Programs Licensing Rule. The stakeholder group shall:

A. Examine appropriate staffing levels, including at different times of the day;

B. Examine staffing ratios required to ensure residential care at different times of the day;

C. Examine staffing levels and ratios sufficient to meet resident needs, including medical and other needs;

D. Ensure that there is objective information about the impact of staffing ratios on access to care, including reimbursement and financial information; and

E. Examine the connections between facility reimbursement and staffing and the transparency of those connections.

3. Outside expertise; data. The stakeholder group may consult with national experts within existing resources. The stakeholder group shall consider the following information:

A. Survey and certification results from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services and the division of licensing and certification within the Department of Health and Human Services;

B. The minimum data set tool from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services used by long-term care providers;

C. Current reported staffing levels, including quarterly reporting on direct care staffing, submitted by providers to the Department of Health and Human Services;

D. Surveys of direct care staff;

E. Surveys submitted by residential care providers;

F. Complaints received by the long-term care ombudsman program within the Department of Health and Human Services and by the Department of Health and Human Services;

G. Steps taken by facilities to address workforce shortages;

H. Projected workforce needs and staffing availability; and

I. Current reimbursement rates for staffing.

4. Meeting and reports. The stakeholder group shall begin meeting no later than September 30, 2025. The stakeholder group shall submit a preliminary report no later than January 30, 2026 and a final report no later than January 2, 2027 to the joint standing committee of the Legislature having jurisdiction over health and human services matters. The committee is authorized to report out legislation related to the final 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 June 20, 2025.

CHAPTER 93
S.P. 374 - L.D. 841

Resolve, to Study the Delivery of Emergency Medical Services to and Ferry Service Effects on Unbridged Island Communities in the State

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, emergency medical services are essential services and failing to provide these essential services adversely affects public health; and

Whereas, addressing the delivery of emergency medical services to unbridged island communities will require input and collaboration from several stakeholders; and

Whereas, this legislation must take effect before the expiration of the 90-day period in order to address these issues; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Department of Public Safety, Maine Emergency Medical Services to convene working group. Resolved: That the Department of Public Safety, Maine Emergency Medical Services shall convene a working group to study the delivery of emergency medical services to and ferry service implications on unbridged island communities in the State. The study must include an evaluation of the long-term sustainability of emergency medical services to unbridged islands, legal and regulatory requirements related to such services and a cost comparison to emergency medical services needs and costs statewide.

Sec. 2. Membership. Resolved: That the working group under section 1 consists of the following members:

1. The Director of Maine Emergency Medical Services within the Department of Public Safety, or the director's designee;

2. A representative of a municipal government of an unbridged island community that is served by the Department of Transportation, Maine State Ferry Service;

3. A representative of a municipal government of an unbridged island community that is not served by the Department of Transportation, Maine State Ferry Service;

4. A representative who provides emergency medical services on an unbridged island community served by the Department of Transportation, Maine State Ferry Service;

5. A representative of the Department of Transportation, Maine State Ferry Service;

6. A representative of an organization with experience in providing air ambulance critical care transport services in the State;

7. A representative of a statewide association representing ambulance services; and

8. A representative of a municipal fire department that provides marine emergency medical services that are not primarily facilitated through a ferry service to an unbridged island community.

Sec. 3. Report. Resolved: That, by January 1, 2026, the Department of Public Safety, Maine Emergency Medical Services shall submit a report that includes the findings and recommendations of the working group under section 1, including suggested legislation, for presentation to the Joint Standing Committee on Criminal Justice and Public Safety and to the Joint Standing Committee on Transportation. Both committees may submit legislation based on the report to the Second Regular Session of the 132nd Legislature.

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

Effective June 20, 2025.

CHAPTER 94
H.P. 5 - L.D. 41

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

Sec. 1. State Tax Assessor authorized to convey real estate. Resolved: That the State Tax Assessor is authorized to convey by sale the interest of the State in real estate in the Unorganized Territory as indicated in this resolve. Except as otherwise directed in this resolve, the sale must be made to the highest bidder subject to the following provisions.