

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

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Augusta, Maine
2019

present value. If the mediation did not result in the settlement or dismissal of the action, the report must include the outcomes of the Net Present Value Worksheet or other determination of net present value. As part of the report, the mediator may notify the court if, in the mediator's opinion, either party failed to negotiate in good faith. The mediator's report must also include a statement of all agreements reached at mediation, with sufficient specificity to put all parties on notice of their obligations under agreements reached at mediation, including but not limited to a description of all documents that must be completed and provided pursuant to the agreements reached at mediation and the time frame during which all actions are required to be taken by the parties, including decisions and determinations of eligibility for all loss mitigation options. The mediator's report must identify the name of any mortgage servicer as defined in section 6113, subsection 1, paragraph B that participates in the mediation process, and any order of sanctions must likewise identify the name of the mortgage servicer.

See title page for effective date.

CHAPTER 364

H.P. 1009 - L.D. 1395

An Act To Create Fairness for Dispatchers in the Maine Public Employees Retirement System

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

Sec. 1. 5 MRSA §18313 is enacted to read:

§18313. Dispatchers

1. Definition. For the purposes of this chapter, "dispatcher" means a person whose primary employment duties consist of any combination of:

A. Acting as an emergency medical dispatcher as defined by Title 32, section 85-A, subsection 1, paragraph D;

B. Answering, directing or dispatching the response to public safety requests for service at a public safety answering point as defined by Title 25, section 2921, subsection 7;

C. Answering, directing or dispatching the response of emergency services for municipal fire protection pursuant to Title 30-A, chapter 153; or

D. Answering, directing or dispatching the response of law enforcement officers as defined by Title 25, section 2801-A, subsection 5.

2. Contribution rate. Except as provided in subsections 3 and 4, a dispatcher employed by a par-

ticipating local district that provides a special retirement benefit under section 18453, subsection 4 or 5 shall contribute to the Participating Local District Retirement Program or must have pick-up contributions made by the employer at a rate of 8% of earnable compensation as long as the person is employed as a dispatcher.

3. Exception. A participating local district may elect to reduce the rate of contribution set out in subsection 2 to 6.5% of earnable compensation for all dispatchers who continue employment after attaining eligibility for retirement during the remainder of their employment as dispatchers.

4. Member contributions to Participating Local District Consolidated Retirement Plan. The board may establish by rule the rate at which dispatchers who participate in the consolidated plan described in chapter 427 contribute to that plan. Rules adopted pursuant to this subsection are routine technical rules pursuant to chapter 375, subchapter 2-A.

Sec. 2. 5 MRSA §18453, sub-§2, as amended by PL 2013, c. 602, Pt. B, §2, is further amended to read:

2. Employee Special Plan #2. A Except as provided in this subsection, a retirement benefit to police officers, firefighters, sheriffs, full-time deputy sheriffs, county corrections employees, dispatchers, emergency medical services persons as defined in Title 32, section 83, subsection 12, including but not limited to first responders, emergency medical technicians, advanced emergency medical technicians and paramedics, or any other participating local district employees who have completed 20 to 25 years of creditable service, the number of years to be selected by the participating local district. A participating local district may not elect to provide retirement benefits to its dispatchers in a plan that requires less than 25 years of creditable service. For the purposes of this subsection, "county corrections employees" means employees of the county who are employed at a county jail and whose duties include contact with prisoners or juvenile detainees. The benefits must be computed as follows:

A. Except as provided in paragraph B, 1/2 of the member's average final compensation; or

B. If the member's benefit would be greater, the part of the service retirement benefit based upon membership service before July 1, 1977; is determined, on a pro rata basis, on the member's current annual salary on the date of retirement or current final compensation, whichever is greater, and the part of the service retirement benefit based upon membership service after June 30, 1977; is determined in accordance with paragraph A.

Sec. 3. 5 MRSA §18453, sub-§3, as amended by PL 2013, c. 602, Pt. B, §3, is further amended to read:

3. Firefighter, Emergency Medical Services Person and Dispatcher Special Plan #1. A retirement benefit equal to 1/2 of the member's average final compensation to a firefighter, including the chief of a fire department, ~~and a dispatcher or~~ an emergency medical services person as defined in Title 32, section 83, subsection 12, including but not limited to a first responder, emergency medical technician, advanced emergency medical technician and paramedic, who has completed at least 25 years of creditable service in that capacity and who retires upon or after reaching age 55.

Sec. 4. 5 MRSA §18453, sub-§4, as amended by PL 2013, c. 602, Pt. B, §4, is further amended to read:

4. Firefighter, Emergency Medical Services Person and Dispatcher Special Plan #2. A retirement benefit to a firefighter, including the chief of a fire department, ~~and a dispatcher or~~ an emergency medical services person as defined in Title 32, section 83, subsection 12, including but not limited to a first responder, emergency medical technician, advanced emergency medical technician and paramedic, who has completed at least 25 years of creditable service in that capacity and who retires upon or after reaching age 55. The benefits ~~shall~~ must be computed as follows:

A. Except as provided in paragraph B, 2/3 of the member's average final compensation; or

B. If the member's benefit would be greater, the part of the service retirement benefit based upon membership service before July 1, 1977, is determined, on a pro rata basis, on the member's current final compensation and the part of the service retirement benefit based upon membership service after June 30, 1977, is determined in accordance with paragraph A.

Sec. 5. 5 MRSA §18453, sub-§5, as amended by PL 2013, c. 602, Pt. B, §5, is further amended to read:

5. Firefighter, Emergency Medical Services Person and Dispatcher Special Plan #3. A Except as provided in this subsection, a retirement benefit to a firefighter, including the chief of a fire department, ~~and a dispatcher or~~ an emergency medical services person as defined in Title 32, section 83, subsection 12, including but not limited to a first responder, emergency medical technician, advanced emergency medical technician and paramedic, who has completed 20 to 25 years of creditable service in that capacity, the number of years to be selected by the participating local district, and who retires at any age. A participating local district may not elect to provide retirement benefits to its dispatchers in a plan that requires less than 25 years of creditable service. The benefits ~~shall~~ must be computed as follows:

A. Except as provided under paragraph B, 2/3 of the member's average final compensation; or

B. If the member's benefit would be greater, the part of the service retirement benefit based upon membership service before July 1, 1977, is determined, on a pro rata basis, on the member's current final compensation and the part of the service retirement benefit based upon membership service after June 30, 1977, is determined in accordance with paragraph A.

See title page for effective date.

CHAPTER 365

H.P. 1071 - L.D. 1464

An Act To Support Electrification of Certain Technologies for the Benefit of Maine Consumers and Utility Systems and the Environment

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

Sec. 1. 35-A MRSA §10102, sub-§3-A is enacted to read:

3-A. Beneficial electrification. "Beneficial electrification" means electrification of a technology that results in reduction in the use of a fossil fuel, including electrification of a technology that would otherwise require energy from a fossil fuel, and that provides a benefit to a utility, a ratepayer or the environment, without causing harm to utilities, ratepayers or the environment, by improving the efficiency of the electricity grid or reducing consumer costs or emissions, including carbon emissions.

Sec. 2. 35-A MRSA §10110, sub-§1, ¶C, as enacted by PL 2009, c. 372, Pt. B, §3, is amended to read:

C. "Conservation programs" means programs developed by the trust pursuant to this section designed to reduce inefficient electricity use or to increase the efficiency with which electricity is used.

Sec. 3. 35-A MRSA §10110, sub-§2, ¶A, as enacted by PL 2009, c. 372, Pt. B, §3, is amended to read:

A. The trust shall consider, without limitation, conservation programs that:

- (1) Increase consumer awareness of cost-effective options for conserving energy;
- (2) Create more favorable market conditions for the increased use of energy-efficient products and services;