

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

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

Augusta, Maine
2021

use entity has facilities, a permanent liaison with the applicable county emergency management agency to be responsible for assisting the agency with the coordination of actions during a disaster or civil emergency and shall communicate to the agency the contact information for the liaison. A joint use entity is responsible for ensuring that a permanent liaison designated under this subsection responds immediately to any contact or request for assistance during a disaster or civil emergency from the county emergency management agency to which the liaison is designated.

3. County emergency management agency; information sharing. A county emergency management agency that receives a communication from a joint use entity designating a permanent liaison pursuant to subsection 2 shall communicate to that joint use entity the contact information for the employee or employees of the county emergency management agency responsible for coordinating the actions of the county emergency management agency during a disaster or civil emergency.

Sec. 2. 37-B MRSA §783, 2nd ¶, as amended by PL 2013, c. 146, §14, is further amended to read:

Each municipal, county and regional emergency management agency, as part of the development of a disaster emergency plan for the area subject to its jurisdiction, shall consult as it considers appropriate with institutions, organizations and businesses within its jurisdiction to ensure that the disaster plans developed by the municipality or agency and those institutions, organizations and businesses are compatible. Institutions, organizations and businesses with which the municipality or agency may consult include, but are not limited to, hospitals, schools, health care facilities, group homes, joint use entities as defined in Title 35-A, section 711, subsection 7, paragraph B and day care centers.

See title page for effective date.

CHAPTER 155

H.P. 748 - L.D. 1010

An Act To Establish the Maine Service Fellows Program

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

Sec. 1. 5 MRSA §7503, sub-§13, as enacted by PL 1995, c. 54, §1, is amended to read:

13. Fund raising. Carry out fund-raising efforts to supplement federal funding and to meet all federal matching requirements; ~~and~~

Sec. 2. 5 MRSA §7503, sub-§13-A is enacted to read:

13-A. Maine Service Fellows Program. Develop and administer the Maine Service Fellows Program under section 7506; and

Sec. 3. 5 MRSA §7506 is enacted to read:

§7506. Maine Service Fellows Program

The Maine Service Fellows Program, referred to in this section as "the program," is established within the commission. Individuals who participate in the program are referred to in this section as "program fellows." The commission shall administer the program in accordance with this section.

1. Program purposes. The commission shall establish the program to:

A. Increase the opportunities for individuals to devote a year of service to communities in the State;

B. Attract to and retain in the State motivated adults who have completed a college degree within the prior 5 years to serve in positions where they can apply skills and abilities to projects for the benefit of citizens of the State;

C. Provide rural and underserved communities in the State a resource to address critical health and human, public safety, education and environmental needs; and

D. Strengthen civic engagement of both the program fellows and community residents through solutions based in whole or in part in volunteer service.

2. Program design. The program must be designed to coordinate with appropriate organizations in the served communities. Program fellows must be required to commit up to 20% of their time in the program to developing regional networks of volunteer programs whose common goals can result in mutual benefits. An entity may submit a proposal to sponsor a program fellow based on guidelines established under this subsection. Services provided by a program fellow may include but are not limited to services to address home evictions, to support workforce development, to mitigate and prevent substance use disorder and to promote mental health. The commission may identify other priority needs of communities to be addressed by the program and may make those services available to eligible communities. During the first 3 years of operation of the program, the commission shall ensure that program fellows focus on helping communities recover from the effects of coronavirus disease 2019, also known as COVID-19, and the related pandemic, while also addressing long-term issues that communities face. The commission shall establish guidelines for the program that include but are not limited to:

A. Limiting the eligibility of entities that may sponsor program fellows to local or county government, school districts, nonprofit organizations, faith-based organizations and similar entities;

B. Establishing standards for local sponsors regarding supervision and support of program fellows during their service;

C. Ensuring that projects and project proposals are well-designed and measure their impact and do not include partisan or political activity;

D. Ensuring that program fellows are not used to replace positions eliminated or position hours reduced as a result of budget cuts by the sponsor;

E. Requiring criminal background checks or other safeguards if projects involve working with vulnerable populations such as schoolchildren or if otherwise required to receive federal funds;

F. Focusing the program on rural communities as defined by the United States Department of Agriculture, Economic Research Service's rural-urban continuum codes, except that the commission shall use criteria other than the codes for defining rural communities in Penobscot County;

G. Authorizing private sector and local partner contributions to program operations for travel reimbursements or training costs; and

H. Any other guideline that the commission believes will benefit the program.

3. Compensation. To the extent funds are available, the commission shall ensure that program fellows receive the following compensation for service:

A. A stipend set by the commission to achieve an annual income of up to 212% of the nonfarm income official federal poverty level. To the extent the stipend is paid from the General Fund or any other account of the commission, personal liability insurance and workers' compensation insurance, paid for from the same source of funds, must also be provided. Notwithstanding any law to the contrary, program fellows are not employees of the State for the purposes of Title 5, Part 20;

B. A program completion bonus that includes, to the extent established by the commission by rule, an educational loan payment in an amount up to 20% of the stipend value paid on behalf of the program fellow to the holder of the loan; and

C. An allowance to pay for individual health insurance not to exceed 2% of the stipend amount.

4. Funding. The commission may seek and receive both private and federal funds, grants and gifts in support of the program. The commission may accept funding from other state agencies to support program

fellows whose work will support and promote goals of programs administered by those agencies.

5. Rules. The commission may adopt rules necessary to carry out the purposes of this section. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 4. Program launch; advisory committee. The Maine Commission for Community Service shall establish an advisory committee to guide the launch of the Maine Service Fellows Program under the Maine Revised Statutes, Title 5, section 7506. The advisory committee must include representatives of town managers, regional planning organizations, rural government leaders, not-for-profit organizations and the Maine Municipal Association. The advisory committee shall: advise the commission to ensure the program is focused on local leadership; suggest criteria for the selection of program fellows; encourage publicity of the program, particularly for recovery initiatives related to the coronavirus disease 2019, also known as COVID-19; and assist the commission in monitoring progress of the program.

Within 180 days following the effective date of this Act, to the extent of any available funds, the Maine Commission for Community Service shall seek to establish in 2022 the first class of program fellows in the Maine Service Fellows Program under Title 5, section 7506, consisting of 10 program fellows who agree to participate in the program for up to 1,800 hours over a 12-month period beginning in 2022.

Sec. 5. Report. The Maine Commission for Community Service shall report to the joint standing committee of the Legislature having jurisdiction over state and local government matters regarding the operations of the Maine Service Fellows Program established in the Maine Revised Statutes, Title 5, section 7506 and its work no later than January 30, 2024. The report may include any recommendations for legislation to improve the program.

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF
Maine Service Fellows Program N367**

Initiative: Establishes base allocations to authorize expenditures for the Maine Service Fellows Program if funding is received from private sources.

| | | |
|-----------------------------------|---------|---------|
| OTHER SPECIAL REVENUE FUNDS | 2021-22 | 2022-23 |
| All Other | \$500 | \$500 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | \$500 | \$500 |

Maine Service Fellows Program N367

Initiative: Establishes base allocations to authorize expenditures for the Maine Service Fellows Program if funding is received from federal sources.

| | | |
|--|---------|---------|
| FEDERAL EXPENDITURES FUND | 2021-22 | 2022-23 |
| All Other | \$500 | \$500 |
| FEDERAL EXPENDITURES FUND TOTAL | \$500 | \$500 |
| | | |
| EDUCATION, DEPARTMENT OF DEPARTMENT TOTALS | 2021-22 | 2022-23 |
| FEDERAL EXPENDITURES FUND | \$500 | \$500 |
| OTHER SPECIAL REVENUE FUNDS | \$500 | \$500 |
| DEPARTMENT TOTAL - ALL FUNDS | \$1,000 | \$1,000 |

See title page for effective date.

**CHAPTER 156
S.P. 330 - L.D. 1040**

An Act To Require Diversity, Equity and Inclusion Training or Implicit Bias Training for School Resource Officers

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

Sec. 1. 20-A MRSA §6556 is enacted to read:

§6556. School resource officers

A school resource officer shall complete diversity, equity and inclusion training or implicit bias training at least once during that officer's first year of employment as a school resource officer. For purposes of this section, "school resource officer" means a law enforcement officer as defined in Title 25, section 3701, subsection 3 who works in a public school.

See title page for effective date.

**CHAPTER 157
H.P. 779 - L.D. 1050**

An Act Regarding the Duties of School Boards Pursuant to the Laws Governing Attendance at Elementary and Secondary Schools

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

Sec. 1. 20-A MRSA §5003, as amended by PL 1983, c. 806, §51, is further amended to read:

§5003. Administration

1. **School board's responsibility.** School boards shall administer this chapter.

2. **Rules Policies.** School boards shall adopt ~~rules~~ policies to carry out this chapter and shall file a copy with the commissioner.

3. **Commissioner's responsibility.** The commissioner shall guide school boards in adopting these ~~rules~~ policies.

Sec. 2. **School board rules regarding attendance deemed to be policies.** Any rules regarding attendance at elementary and secondary schools adopted by a school board pursuant to the Maine Revised Statutes, Title 20-A, section 5003 prior to the effective date of this Act are deemed to be policies under Title 20-A, section 5003.

See title page for effective date.

**CHAPTER 158
S.P. 367 - L.D. 1106**

An Act To Prohibit an Employer from Charging an Employee for Direct Deposit for Wages

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

Sec. 1. 26 MRSA §621-A, sub-§7 is enacted to read:

7. **Direct deposit of wages.** An employer may not charge a fee for the payment of wages by means of direct deposit. For purposes of this section, "direct deposit" means the transfer of wages through electronic funds transfer directly into an employee's account in an accredited financial institution designated by the employee.

See title page for effective date.