

# 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.**

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**Augusta, Maine**  
**2021**

B. A trigger or barrel lock.

See title page for effective date.

**CHAPTER 441**

**H.P. 866 - L.D. 1188**

**An Act To Include Career and Technical Education Teachers in the Minimum \$40,000 Salary Initiative**

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

**Whereas,** this legislation needs to take effect before the expiration of the 90-day period in order to ensure that career and technical education teachers are eligible for the incremental increase in minimum salary for the school year starting after June 30, 2021; 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 enacted by the People of the State of Maine as follows:**

**Sec. 1. 20-A MRSA §13407,** as enacted by PL 2019, c. 343, Pt. UU, §2, is amended to read:

**§13407. Minimum salaries beginning in 2020-2021 school year**

Each school administrative unit shall establish a minimum salary for certified teachers and career and technical education teachers as follows:

**1. School year 2020-2021.** For the school year starting after June 30, 2020, the minimum salary is \$35,000;

**2. School year 2021-2022.** For the school year starting after June 30, 2021, the minimum salary for certified teachers and career and technical education teachers is \$37,500; and

**3. School years beginning in or after 2022.** For the school year starting after June 30, 2022, and in each subsequent school year, the minimum salary for certified teachers and career and technical education teachers is \$40,000.

A school administrative unit shall provide to the department annually on or before October 1st the number of certified teachers and career and technical education teachers eligible for incremental salary increases as defined in section 15689, subsection 7-A, paragraph A.

**Sec. 2. 20-A MRSA §15689, sub-§7-A,** as amended by PL 2019, c. 616, Pt. C, §6, is further amended to read:

**7-A. Adjustment for minimum teacher salary.** Beginning in fiscal year 2020-21, the commissioner shall, in accordance with this subsection, increase the state share of the total allocation to a qualifying school administrative unit by an amount necessary to achieve the minimum salary for certified teachers and career and technical education teachers established in section 13407.

A. As used in this subsection, unless the context otherwise indicates, "qualifying school administrative unit" means a school administrative unit that the commissioner determines to have a locally established salary schedule with a minimum teacher salary of less than \$40,000 in school year 2019-2020. As used in this subsection, unless the context otherwise indicates, "incremental salary increases" means the incremental increases in the salaries of certified teachers and career and technical education teachers employed by a qualifying school administrative unit in school year 2019-2020 necessary to meet the minimum salary requirements of section 13407 from fiscal year 2020-21 to fiscal year 2022-23.

B. The commissioner shall allocate the funds appropriated by the Legislature in accordance with the following.

(1) The amount of increased funds provided to qualifying school administrative units under this subsection must be the amount necessary to fund the incremental salary increases specified in this subsection.

(2) The number of certified teachers and career and technical education teachers eligible for incremental salary increases in a qualifying school administrative unit for a fiscal year must be based on the information supplied to the department pursuant to section 13407 in that fiscal year.

(3) The increased funds provided under this subsection must be issued to qualifying school administrative units as an adjustment to the state school subsidy for distribution to the certified teachers and career and technical education teachers. Qualifying school administrative units shall use the payments provided under this subsection to provide salary adjustments to those certified teachers and career and technical education teachers eligible for incremental salary increases. The department shall collect the necessary data to allow the funds to be included in a qualifying school administrative unit's monthly subsidy payments beginning no later than February 1st of each fiscal year.

(4) Funding for incremental salary increases in fiscal year 2020-21 must be based on data submitted to the department and certified by school administrative units as of October 1, 2019.

**Sec. 3. Department of Education to report.**

By December 1, 2021, the Department of Education shall report to the Joint Standing Committee on Education and Cultural Affairs on the status of the \$40,000 minimum teacher salary initiative. The department shall report on progress made toward meeting the requirements of the Maine Revised Statutes, Title 20-A, section 13407 and shall include verification that all professions intended to be included in the salary initiative are included, including librarians and career and technical education teachers teaching in career and technical education regions and centers. If the department identifies any areas of deficiency, its report to the committee must include a plan for remediation. The committee is authorized to report out legislation related to the department's report in the Second Regular Session of the 130th Legislature.

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

Effective July 9, 2021.

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**CHAPTER 442**

**H.P. 911 - L.D. 1245**

**An Act To Ensure the Provision of Appropriate Personal Protective Equipment to Firefighters**

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

**Whereas,** firefighters must remain ever vigilant as fires and other emergencies happen every day; and

**Whereas,** firefighters are exposed to toxic fumes and substances regularly in the course of their firefighting duties; and

**Whereas,** immediate enactment of this Act is necessary to help prevent the negative effects of such exposure for the many firefighters who have only ill-fitting gear to protect them in their firefighting duties; 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 enacted by the People of the State of Maine as follows:**

**Sec. 1. 26 MRSA §2103, sub-§1,** as amended by PL 2003, c. 570, §3 and affected by c. 570, §7, is repealed.

**Sec. 2. 26 MRSA §2103, sub-§1-A** is enacted to read:

**1-A. Protective equipment.** The fire department shall provide each firefighter with the appropriate equipment to protect the firefighter from the hazards of the work environment to which the firefighter is likely to be exposed.

A. All protective equipment must fit properly and must meet or exceed the requirements of the United States Department of Labor, Occupational Safety and Health Administration or the National Fire Protection Association, whichever are more stringent, that are in effect at the time of purchase. Proper fit is determined by selecting the best-fitting protective equipment after reviewing design options specific to the firefighter's sex and options for sizing and tailoring the protective equipment.

B. The firefighter shall use the protective equipment whenever exposed to the hazards for which that equipment is provided.

C. Protective equipment, as provided in this section, must consist of protective clothing, helmet ensemble, foot, hand and hearing protection, self-contained breathing apparatus, personal alert safety systems and fire service life safety rope, harness and hardware.

**Sec. 3. Notice to fire departments and volunteer fire associations.** The Department of Labor, Bureau of Labor Standards shall notify all municipal fire departments and volunteer fire departments and associations of the requirements of this Act and the commercial availability of firefighting protective equipment appropriately sized for firefighters who are females.

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

Effective July 9, 2021.

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**CHAPTER 443**

**S.P. 588 - L.D. 1734**

**An Act To Fund Collective Bargaining Agreements with Certain Judicial Department Employees**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until