

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

(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.

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.

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

90 days after adjournment unless enacted as emergencies; and

Whereas, the Judicial Department is negotiating collective bargaining agreements with the 4 bargaining units representing Judicial Department employees; and

Whereas, this legislation authorizes funding of any agreements ratified by December 31, 2021; and

Whereas, it is the responsibility of the Legislature to act upon those portions of collective bargaining agreements negotiated by the judicial branch that require legislative action; and

Whereas, the judicial branch and the Legislature share a desire to address in a timely manner the needs of certain state employees excluded from collective bargaining units; 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. Adjustment of salary schedules for fiscal years 2021-22 and 2022-23. The salaries and stipends for the Judicial Department employees in the administrative services bargaining unit, the supervisory services bargaining unit, the law enforcement bargaining unit and the professional services bargaining unit and employees referred to in section 2 must be adjusted consistent with the terms of any agreements ratified by December 31, 2021.

Sec. 2. Other employees; similar and equitable treatment. Employees of the Judicial Department who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5, paragraphs C, D, E, F and G must be given similar and equitable treatment on a pro rata basis to that given employees covered by the collective bargaining agreements.

Sec. 3. Costs to General Fund. Costs to the General Fund must be provided in the Salary Plan program, General Fund account in the Department of Administrative and Financial Services in an amount up to \$1,594,600 for the fiscal year ending June 30, 2022 and in an amount up to \$2,536,191 for the fiscal year ending June 30, 2023 to implement the economic terms of the collective bargaining agreements made between the Judicial Department and the Maine State Employees Association for the administrative services bargaining unit, the supervisory services bargaining unit and the professional services bargaining unit; made between the Judicial Department and the Maine State Law Enforcement Association for the law enforcement bargaining unit; and for the costs of those Judicial Department employees referred to in section 2 who are excluded from

collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5.

Sec. 4. Contingent effective date. This Act takes effect only upon the ratification by December 31, 2021 of a collective bargaining agreement made between the Judicial Department and the Maine State Employees Association for the administrative services bargaining unit, the supervisory services bargaining unit and the professional services bargaining unit or between the Judicial Department and the Maine State Law Enforcement Association for the law enforcement bargaining unit.

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

Effective July 9, 2021, unless otherwise indicated.

CHAPTER 444

H.P. 972 - L.D. 1316

An Act To Provide Funding for the Maine Length of Service Award Program

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

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

FIRE PROTECTION SERVICES COMMISSION, MAINE

Maine Fire Protection Services Commission 0936

Initiative: Provides one-time funding for the Maine Length of Service Award Program to provide length of service awards to eligible volunteer firefighters and emergency medical services personnel.

GENERAL FUND	2021-22	2022-23
All Other	\$500,000	\$0
GENERAL FUND TOTAL	\$500,000	\$0

See title page for effective date.

CHAPTER 445

S.P. 424 - L.D. 1318

An Act To Increase High School Graduation Rates for Students Experiencing Education Disruption

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at