

# 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**

25 years of creditable service as provided in this section and at the rate of 7.65% thereafter.

**Sec. 11. Transition.** If a civilian employee in the employment of the Department of Public Safety, Maine State Police Crime Laboratory or computer crimes unit on October 1, 2021 elects to participate in the 1998 Special Plan of the Maine Public Employees Retirement System, as provided in the Maine Revised Statutes, Title 5, section 17851-A, subsection 1, that employee must make that election not later than December 31, 2021 and that employee's participation in the 1998 Special Plan becomes effective January 1, 2022.

**Sec. 12. Appropriations and allocations.** The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF**

**Computer Crimes 0048**

Initiative: Provides funds for the additional cost for civilian employees employed in the Maine State Police Crime Laboratory or computer crimes unit within the Department of Public Safety on October 1, 2021 to participate in the 1998 Special Plan on a prospective basis.

<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
Personal Services	\$7,597	\$15,737
<b>GENERAL FUND TOTAL</b>	<b>\$7,597</b>	<b>\$15,737</b>

**State Police 0291**

Initiative: Allocates funds for the additional cost for civilian employees employed in the Maine State Police Crime Laboratory or computer crimes unit within the Department of Public Safety on October 1, 2021 to participate in the 1998 Special Plan on a prospective basis.

<b>HIGHWAY FUND</b>	<b>2021-22</b>	<b>2022-23</b>
Personal Services	\$4,626	\$9,508
<b>HIGHWAY FUND TOTAL</b>	<b>\$4,626</b>	<b>\$9,508</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2021-22</b>	<b>2022-23</b>
Personal Services	\$2,424	\$4,986
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,424</b>	<b>\$4,986</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2021-22</b>	<b>2022-23</b>
Personal Services	\$427	\$860
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$427</b>	<b>\$860</b>

**State Police 0291**

Initiative: Provides funds for the additional cost for civilian employees employed in the Maine State Police Crime Laboratory or computer crimes unit within the

Department of Public Safety on October 1, 2021 to participate in the 1998 Special Plan on a prospective basis.

<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
Personal Services	\$8,591	\$17,659
<b>GENERAL FUND TOTAL</b>	<b>\$8,591</b>	<b>\$17,659</b>

**State Police - Support 0981**

Initiative: Allocates funds for the additional cost for civilian employees employed in the Maine State Police Crime Laboratory or computer crimes unit within the Department of Public Safety on October 1, 2021 to participate in the 1998 Special Plan on a prospective basis.

<b>HIGHWAY FUND</b>	<b>2021-22</b>	<b>2022-23</b>
Personal Services	\$623	\$1,319
<b>HIGHWAY FUND TOTAL</b>	<b>\$623</b>	<b>\$1,319</b>

**PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS**

	<b>2021-22</b>	<b>2022-23</b>
<b>GENERAL FUND</b>	<b>\$16,188</b>	<b>\$33,396</b>
<b>HIGHWAY FUND</b>	<b>\$5,249</b>	<b>\$10,827</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$2,424</b>	<b>\$4,986</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$427</b>	<b>\$860</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$24,288</b>	<b>\$50,069</b>

See title page for effective date.

**CHAPTER 475**

**S.P. 386 - L.D. 1123**

**An Act To Authorize a Monument to the Victims of and First Responders to COVID-19**

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

**Sec. 1. 3 MRSA §902, sub-§1-D** is enacted to read:

**1-D. Monument to victims of and first responders to COVID-19 pandemic.** Notwithstanding section 902-A, subsection 2, paragraph B, the commission may arrange for and oversee the development and installation of a monument on the exterior grounds of the State House honoring the victims of and first responders to the pandemic related to coronavirus disease 2019, known as COVID-19.

**Sec. 2. Report.** By January 31, 2022, the State House and Capitol Park Commission shall report to the Joint Standing Committee on State and Local Government on the status of the development and installation

of a monument on the exterior grounds of the State House honoring the victims of and first responders to the pandemic related to the coronavirus disease 2019 pursuant to the Maine Revised Statutes, Title 3, section 902, subsection 1-D. The report must describe the commission's efforts in soliciting artistic designs for the monument. The joint standing committee may report out a bill to the Second Regular Session of the 130th Legislature on the subject matter of the report.

See title page for effective date.

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## CHAPTER 476

### S.P. 422 - L.D. 1294

#### An Act To Prevent Discrimination against Domestic Violence Victims

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

**Sec. 1. 5 MRSA §4572, sub-§1**, as amended by PL 2005, c. 10, §§11 and 12, is further amended to read:

**1. Unlawful employment discrimination.** It is unlawful employment discrimination, in violation of this Act, except when based on a bona fide occupational qualification:

A. For any employer to fail or refuse to hire or otherwise discriminate against any applicant for employment because of race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, because of the applicant's previous assertion of a claim or right under former Title 39 or Title 39-A ~~or~~ because of previous actions taken by the applicant that are protected under Title 26, chapter 7, subchapter 5-B or because the applicant sought and received an order of protection under Title 19-A, section 4007; or, because of those reasons, to discharge an employee or discriminate with respect to hire, tenure, promotion, transfer, compensation, terms, conditions or privileges of employment or any other matter directly or indirectly related to employment; or, in recruiting of individuals for employment or in hiring them, to utilize any employment agency that the employer knows or has reasonable cause to know discriminates against individuals because of their race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, because of their previous assertion of a claim or right under former Title 39 or Title 39-A ~~or~~ because of previous actions that are protected under Title 26, chapter 7, subchapter 5-B; or because the applicant sought and received an order of protection under Title 19-A, section 4007.

(1) This paragraph does not apply to discrimination governed by Title 39-A, section 353;

B. For any employment agency to fail or refuse to classify properly, refer for employment or otherwise discriminate against any individual because of race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, because of the individual's previous assertion of a claim or right under former Title 39 or Title 39-A ~~or~~ because of previous actions taken by the individual that are protected under Title 26, chapter 7, subchapter 5-B or because the individual sought and received an order of protection under Title 19-A, section 4007; or to comply with an employer's request for the referral of job applicants if a request indicates either directly or indirectly that the employer will not afford full and equal employment opportunities to individuals regardless of their race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, because of previous assertion of a claim or right under former Title 39 or Title 39-A ~~or~~ because of previous actions that are protected under Title 26, chapter 7, subchapter 5-B or because the individual sought and received an order of protection under Title 19-A, section 4007;

C. For any labor organization to exclude from apprenticeship or membership or to deny full and equal membership rights to any applicant for membership because of race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, because of the applicant's previous assertion of a claim or right under former Title 39 or Title 39-A ~~or~~ because of previous actions taken by the applicant that are protected under Title 26, chapter 7, subchapter 5-B or because the applicant sought and received an order of protection under Title 19-A, section 4007; or, because of those reasons, to deny a member full and equal membership rights, expel from membership, penalize or otherwise discriminate with respect to hire, tenure, promotion, transfer, compensation, terms, conditions or privileges of employment, representation, grievances or any other matter directly or indirectly related to membership or employment, whether or not authorized or required by the constitution or bylaws of that labor organization or by a collective labor agreement or other contract; to fail or refuse to classify properly or refer for employment or otherwise discriminate against any member because of race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, because of the member's previous assertion of a claim or right under former Title 39 or Title 39-A ~~or~~ because of previous actions taken by the member that are protected under Title 26, chapter 7, subchapter 5-B or because the applicant sought and received an order of protection under Title 19-A, section 4007; or to cause or attempt to cause an employer to discrimi-