

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

SECOND SPECIAL SESSION
September 29, 2021

SECOND REGULAR SESSION
January 5, 2022 to May 9, 2022

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 29, 2021

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 8, 2022

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

Augusta, Maine
2022

Sec. 41. 26 MRSA §843, sub-§7, as enacted by PL 2007, c. 261, §2, is repealed.

Sec. 42. 26 MRSA §849-A is enacted to read:
§849-A. Rules

The Department of Labor shall adopt rules to provide guidance in the application of this subchapter to domestic partners. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. The department shall make the rules available on a publicly accessible website maintained by the department.

Sec. 43. 26 MRSA §875, sub-§1, ¶E, as amended by PL 2017, c. 402, Pt. C, §80 and affected by PL 2019, c. 417, Pt. B, §14, is further amended to read:

E. The employee is unable to work because the employee is needed to provide care or assistance to one or more of the following individuals: the employee's spouse or domestic partner as defined under Title 18 C, section 1 201, subsection 14; the employee's parent; or the employee's child or child for whom the employee is the legal guardian.

Sec. 44. 39-A MRSA §102, sub-§11, ¶A, as amended by PL 2009, c. 452, §3, is further amended by amending subparagraph (4) in the first blocked paragraph to read:

Any person may revoke or rescind that person's waiver upon 30 days' written notice to the board and that person's employer. The parent, spouse, domestic partner as defined in Title 24, section 2319 A, subsection 1 or child of a person who has made a waiver under the previous sentence may state, in writing, that the parent, spouse, domestic partner as defined in Title 24, section 2319 A, subsection 1 or child waives all the benefits and privileges provided by the workers' compensation laws if the board finds that the waiver is not a prerequisite condition to employment and if the parent, spouse, domestic partner as defined in Title 24, section 2319 A, subsection 1 or child is employed by the same corporation that employs the person who has made the first waiver;

Sec. 45. 39-A MRSA §102, sub-§11, ¶A, as amended by PL 2009, c. 452, §3, is further amended by amending subparagraph (5) to read:

(5) Except for persons engaged in harvesting of forest products, the parent, spouse, domestic partner as defined in Title 24, section 2319 A, subsection 1 or child of a sole proprietor who is employed by that sole proprietor or the parent, spouse, domestic partner as defined in Title 24, section 2319 A, subsection 1 or child of a partner who is employed by the partnership of that partner or the parent, spouse, domestic partner as defined in Title 24, section

~~2319 A, subsection 1~~ or child of a member of a limited liability company who is employed by that limited liability company may state, in writing, that the parent, spouse, domestic partner as defined in Title 24, section 2319 A, subsection 1 or child waives all the benefits and privileges provided by the workers' compensation laws if the board finds that the waiver is not a prerequisite condition to employment;

Sec. 46. 39-A MRSA §102, sub-§11, ¶B-1, as amended by PL 2007, c. 350, §2, is further amended by amending subparagraph (1), division (b) to read:

(b) Performs all of the wood harvesting alone or with the assistance of one or more of the following persons whose relationship with the person is that of spouse, domestic partner as defined in Title 24, section 2319 A, subsection 1, parent, sibling, child, niece or nephew;

Sec. 47. 39-A MRSA §102, sub-§11, ¶B-1, as amended by PL 2007, c. 350, §2, is further amended by amending subparagraph (2) to read:

(2) A spouse, domestic partner as defined in Title 24, section 2319 A, subsection 1, parent, sibling, child, niece or nephew of a person who contracts directly with the landowner to perform all of the wood harvesting alone or with the assistance of one or more of the following: the person's spouse, domestic partner as defined in Title 24, section 2319 A, subsection 1, parent, sibling, child, niece or nephew; or

See title page for effective date.

CHAPTER 568

H.P. 1354 - L.D. 1821

An Act To Protect Public Election Officials

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

Sec. 1. 17-A MRSA §751, sub-§2, as amended by PL 1997, c. 351, §2, is further amended to read:

2. This section does not apply to:

A. Refusal by a person to submit to an arrest or detention; or

B. Escape by a person from official custody, as defined in section 755; or

C. Intentional interference by a person under Title 21-A, section 674, subsection 2, paragraph E.

Sec. 2. 21-A MRSA §1, sub-§34, as enacted by PL 1985, c. 161, §6, is amended to read:

34. Public official. "Public official" means a person elected or appointed to serve the people, including but not limited to an election official, municipal clerk or registrar.

Sec. 3. 21-A MRSA §101, sub-§9, as enacted by PL 2001, c. 415, §1 and affected by §5, is amended to read:

9. Training. The registrar ~~must~~ shall attend a training session that is approved by the Secretary of State at least once every 2 years in regard to the conduct of voter registration. The training must include, but is not limited to, training on the de-escalation of conflicts and the process for reporting threats to or harassment of public officials related to the conduct of federal, state or municipal elections to the Secretary of State.

Sec. 4. 21-A MRSA §505, sub-§7-A, as enacted by PL 2001, c. 415, §4 and affected by §5, is amended to read:

7-A. Training. Attend a training session that is approved by the Secretary of State at least once every 2 years in regard to the conduct of elections. The training must include, but is not limited to, training on the de-escalation of conflicts and the process for reporting threats to or harassment of public officials related to the conduct of federal, state or municipal elections to the Secretary of State. The Secretary of State shall offer training sessions regionally at least once every 2 years at no fee. The Secretary of State shall encourage municipalities to provide training biennially to all election officials; and

Sec. 5. 21-A MRSA §674, sub-§2, ¶A, as amended by PL 2003, c. 447, §16, is further amended to read:

A. Assists another person in voting, knowing that the other person is not eligible to vote; ~~or~~

Sec. 6. 21-A MRSA §674, sub-§2, ¶E is enacted to read:

E. Intentionally interferes by force, violence or intimidation or by any physical act with any public official who is in fact performing or who the person believes is performing an official function relating to a federal, state or municipal election.

Sec. 7. 21-A MRSA §675 is enacted to read:

§675. Reports of threats or harassment

1. Reporting of threats or harassment. The Secretary of State shall accept and maintain a record of reports of threats to or harassment of public officials related to the conduct of federal, state or municipal elections in the State. The Secretary of State shall adopt routine technical rules, as defined in Title 5, chapter 375, subchapter 2-A, regarding the process for submitting reports pursuant to this subsection.

2. Annual report. Beginning February 1, 2023, and annually thereafter, the Secretary of State shall report the number and type of reports of threats to or harassment of public officials received by the Secretary of State during the previous calendar year to the joint standing committee of the Legislature having jurisdiction over election matters.

See title page for effective date.

CHAPTER 569

H.P. 1356 - L.D. 1823

An Act To Amend the Enforcement Provisions of the Law Governing Earned Paid Leave

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

Sec. 1. 26 MRSA §637, sub-§7, as enacted by PL 2019, c. 156, §3 and affected by §4, is amended to read:

7. Enforcement. The bureau has the exclusive authority pursuant to section 42 to enforce this section, except that nothing in this section prohibits the parties to a collective bargaining agreement from agreeing to also address any violation of this section through the dispute resolution process set forth in that collective bargaining agreement.

See title page for effective date.

CHAPTER 570

S.P. 647 - L.D. 1830

An Act To Amend the Election Laws

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

Sec. 1. 21-A MRSA §112-A, sub-§1, as enacted by PL 2009, c. 253, §11, is amended to read:

1. Government-issued photograph identification document or credential. A government-issued photograph identification document or credential, including, but not limited to, a current and valid United States passport, military identification, driver's license or state identification or identification card issued by a federally recognized Indian tribe;

Sec. 2. 21-A MRSA §381, sub-§1, as amended by PL 1997, c. 436, §56, is further amended to read:

1. Nominees chosen. The Governor shall order the appropriate political committees to meet and shall set the deadline for choosing nominees. The deadline