

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

**CHAPTER 752
H.P. 325 - L.D. 449**

**An Act To Strengthen the
Ability of Public Employers
and Teachers' Unions To
Negotiate**

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

Sec. 1. 26 MRSA §965, sub-§1, ¶B, as amended by PL 2009, c. 107, §5, is further amended to read:

B. ~~¶~~ Except as provided in paragraph B-1, to meet within 10 days after receipt of written notice from the other party requesting a meeting for collective bargaining purposes, as long as the parties have not otherwise agreed in a prior written contract. This obligation is suspended during the period between a referendum approving a new regional school unit and the operational date of the regional school unit, as long as the parties meet at reasonable times during that period;

Sec. 2. 26 MRSA §965, sub-§1, ¶B-1 is enacted to read:

B-1. For a public employer that is a school district and the bargaining agent representing teachers within that school district, to meet within 10 days after receipt of written notice from the other party requesting a meeting for collective bargaining purposes. This obligation is suspended during the period between a referendum approving a new regional school unit and the operational date of the regional school unit, as long as the parties meet at reasonable times during that period;

Sec. 3. Reimbursement for certain collective bargaining costs. The Department of Education shall develop a process to provide reimbursement to those school administrative units that, but for the requirement in the Maine Revised Statutes, Title 26, section 965, subsection 1, paragraph B-1 that a school administrative unit and bargaining unit representing teachers collectively bargain within 10 days of receipt of written notice even if otherwise agreed to in a prior written contract, would not otherwise engage in collective bargaining. Reimbursement must be provided to those school administrative units at 90% of the legal and other expenses incurred by those school administrative units to meet and engage in collective bargaining.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

State Mandate Reimbursement - Collective Bargaining N399

Initiative: Provides ongoing funds to reimburse certain local school administrative units for 90% of the legal and other costs to meet and negotiate within 10 days after a written notice from the other party is made due to the exception to the mutual obligation to meet requirement in a collective bargaining agreement being repealed.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$52,200
GENERAL FUND TOTAL	\$0	\$52,200

See title page for effective date.

**CHAPTER 753
S.P. 190 - L.D. 484**

**An Act Relating to the Housing
Opportunities for Maine Fund**

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

Sec. 1. 36 MRSA §4641-B, sub-§4-B, ¶E, as amended by PL 2017, c. 284, Pt. AAAAAAA, §1, is further amended to read:

E. In fiscal year 2015-16 and each fiscal year thereafter, the Treasurer of State shall credit the revenues derived from the tax imposed pursuant to section 4641-A, subsection 1 in accordance with this paragraph.

(1) At the beginning of the fiscal year, the Maine State Housing Authority shall certify to the Treasurer of State the amount that is necessary and sufficient to meet the authority's obligations relating to bonds issued or planned to be issued by the authority under Title 30-A, section 4864.

(2) On a monthly basis the Treasurer of State shall apply 50% of the revenues in accordance with this subparagraph. The Treasurer of State shall first pay revenues available under this subparagraph to the Maine State Housing Authority, which shall deposit the funds in the Maine Energy, Housing and Economic Recovery Fund established in Title 30-A, section 4863, until the amount paid equals the amount certified by the Maine State Housing Authority under subparagraph (1), after which the Treasurer of State shall credit any remaining revenues available under this subparagraph to the General Fund.

(3) On a monthly basis, the Treasurer of State shall credit 50% of the revenues to the Maine State Housing Authority, except that, notwithstanding paragraph F, in fiscal year 2015-16, the Treasurer of State shall first credit

\$6,291,740 of the revenues available under this subparagraph to the General Fund and except that, notwithstanding paragraph F, in fiscal year 2016-17, the Treasurer of State shall first credit \$6,090,367 of the revenues available under this subparagraph to the General Fund and except that, notwithstanding paragraph F, in fiscal years 2017-18 and 2018-19, the Treasurer of State shall first credit \$2,500,000 of the revenues available under this subparagraph to the General Fund. The Maine State Housing Authority shall deposit the funds received pursuant to this subparagraph in the Housing Opportunities for Maine Fund created in Title 30-A, section 4853. Beginning July 1, 2023, the Maine State Housing Authority shall use 25% of funds transferred to the Housing Opportunities for Maine Fund under this subparagraph to support the creation of new housing units, through new construction or adaptive reuse, that are affordable to low-income households.

See title page for effective date.

CHAPTER 754

H.P. 1244 - L.D. 1673

An Act To Establish Fair Housing Goals in Certain Communities in Maine

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

Sec. 1. 30-A MRSA §4301, sub-§14-A, as amended by PL 2011, c. 655, Pt. JJ, §14 and affected by §41, is further amended to read:

14-A. Service center community. "Service center community" means a municipality or group of municipalities identified by the department according to a methodology established by rule that includes 4 basic criteria, including level of retail sales, jobs-to-workers ratio, the amount of federally assisted housing and the volume of service sector jobs. Rules adopted pursuant to this subsection are ~~major substantive~~ routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 30-A MRSA §4315 is enacted to read:
§4315. Service center community

Beginning in 2023, and every 5 years thereafter, the department shall classify the service center communities in the State, using the most recent data available, into no less than 4 categories based on a methodology established by rule. The department shall maintain a list of service center communities, by category, and the de-

partment and the Department of Economic and Community Development shall post the list on their respective publicly accessible websites.

Sec. 3. 30-A MRSA §4316 is enacted to read:

§4316. Data sharing

The department, the Maine State Housing Authority and the Department of Economic and Community Development shall share data useful in assessing and determining growth management policies and standards.

Sec. 4. 30-A MRSA §4326, sub-§3-A, ¶L, as corrected by RR 2019, c. 1, Pt. A, §41, is amended to read:

L. Ensure that land use policies encourage aging in place and appropriate housing options for older residents and address issues of special concern to older adults, including transportation to and accessibility and availability of needed services; ~~and~~

Sec. 5. 30-A MRSA §4326, sub-§3-A, ¶M, as enacted by PL 2019, c. 145, §9 and reallocated by RR 2019, c. 1, Pt. A, §42, is amended to read:

M. Encourage policies that provide for accessory dwelling units; ~~and~~

Sec. 6. 30-A MRSA §4326, sub-§3-A, ¶N is enacted to read:

N. Notwithstanding paragraph G, ensure that in a service center community at least 10% of the housing stock is affordable housing.

Sec. 7. 30-A MRSA §4331, sub-§5, as amended by PL 2011, c. 655, Pt. JJ, §18 and affected by §41, is further amended to read:

5. Periodic reports. Beginning on January 1, 2015, the department shall report in writing on the results of its evaluation process every 4 years and more frequently if necessary. The department shall submit its report to the joint standing committee of the Legislature having jurisdiction over natural resources matters, the joint standing committee of the Legislature having jurisdiction over housing matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. Each committee may report out legislation related to matters reported upon that are within its jurisdiction.

Sec. 8. Report. By February 15, 2023, the Department of Agriculture, Conservation and Forestry shall submit a report to the joint standing committee of the Legislature having jurisdiction over housing matters detailing where population growth is occurring and projected to occur in the State. The committee may report out legislation on matters related to the report during the First Regular Session of the 131st Legislature.

See title page for effective date.