

# 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**

December 15, 2021. The joint standing committee may submit a bill to the 130th Legislature relating to the subject matter of the report.

See title page for effective date.

### CHAPTER 33

#### H.P. 111 - L.D. 155

#### **Resolve, Directing the Board of Pesticides Control To Prohibit the Use of Certain Neonicotinoids for Outdoor Residential Use**

**Sec. 1. Prohibit the use of certain neonicotinoids for outdoor use. Resolved:** That, pursuant to the Maine Revised Statutes, Title 7, section 610, the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control shall prohibit the use of any product containing the active ingredient dinotefuran, clothianidin, imidacloprid or thiamethoxam used for application in outdoor residential landscapes such as on lawn, turf or ornamental vegetation. Products used for preserving wood, controlling or treating indoor pests, controlling or treating insects outside around structural foundations and other parts of structures and treating pets, as defined under Title 7, section 712, subsection 16, are specifically exempt from the prohibition under this section. The board shall allow the use of any product containing the active ingredient dinotefuran, clothianidin, imidacloprid or thiamethoxam by certified applicators as defined under Title 22, section 1471-C, subsection 4 on ornamental vegetation to manage emerging invasive insect pests, including but not limited to the Asian long-horned beetle, emerald ash borer and hemlock wooly adelgid in order to safeguard the public health, safety and welfare of the State and to protect the natural resources of the State. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

### CHAPTER 34

#### H.P. 190 - L.D. 274

#### **Resolve, Directing the Maine Health Data Organization To Determine the Best Methods and Definitions To Use in Collecting Data To Better Understand Racial and Ethnic Disparities in the Provision of Health Care in Maine**

**Sec. 1. Data for racial and ethnic disparities in health care. Resolved:** That the Maine Health

Data Organization shall determine the best methods and definitions to use in collecting data to assist in analyzing the origins of racial and ethnic disparities in health care in the State.

**Sec. 2. Report. Resolved:** That, by January 1, 2022, the Maine Health Data Organization shall submit a report, including suggested legislation, based on its evaluation in section 1 to the Joint Standing Committee on Health Coverage, Insurance and Financial Services. The Joint Standing Committee on Health Coverage, Insurance and Financial Services is authorized to submit legislation related to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

### CHAPTER 35

#### H.P. 197 - L.D. 281

#### **Resolve, Directing the Department of Education To Analyze Funding To Address Student Achievement Gaps**

**Sec. 1. Department of Education to analyze funding to address student achievement gaps. Resolved:** That the Department of Education shall conduct an analysis of current funding that is available through the Essential Programs and Services Funding Act related to student achievement gaps related to race and income.

**Sec. 2. Report. Resolved:** That the Department of Education shall report to the Joint Standing Committee on Education and Cultural Affairs, no later than January 15, 2022, on the analysis conducted pursuant to section 1, the effectiveness of current funding, any issues identified and any recommendations developed, including suggested legislation. The Joint Standing Committee on Education and Cultural Affairs may submit legislation related to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

### CHAPTER 36

#### S.P. 140 - L.D. 313

#### **Resolve, To Advance Career and Technical Education Opportunities in Maine**

**Sec. 1. Department of Education to convene a work group. Resolved:** That the Department of Education shall convene a work group, referred to in this resolve as "the work group," to explore innovative approaches to advancing career and technical education opportunities for middle and high school students.

**Sec. 2. Membership. Resolved:** That the Department of Education shall invite the following persons to participate in the work group:

1. One member of a regional chamber of commerce;
2. One member of the Maine State Chamber of Commerce;
3. One superintendent of a school administrative unit that has an industrial arts program;
4. One representative from a trade association;
5. One representative from the Maine Community College System;
6. One member of the Maine Association of Non-profits;
7. One parent of a current career and technical education student;
8. One student from a career and technical education and bridge program;
9. One representative from an organization representing superintendents;
10. One representative from an organization representing principals;
11. One representative from an organization representing career and technical education directors;
12. One principal of a school;
13. One member of the Maine Climate Council;
14. The Commissioner of Labor or the commissioner's designee; and
15. The Commissioner of Economic and Community Development or the commissioner's designee.

**Sec. 3. Duties. Resolved:** That the work group shall:

1. Conduct a statewide inventory of available career and technical education programs;
2. Identify existing systemic barriers to expanding access to career and technical education programs;
3. Explore options for career and technical education programs to be included in science, technology, engineering and mathematics, or STEM, endorsements;
4. Recommend changes to the career and technical education teacher certification process to address the shortage of career and technical education teachers by acknowledging skills demonstrated in a trade or profession;
5. Propose multiple college and career pathways for students to learn and demonstrate their knowledge in the career and technical education setting while creating programs that address the State's critical workforce shortage;

6. Consider new pathways within career and technical education programs by:

- A. Proposing career and technical education course work for school counselor certification;
- B. Exploring an industrial arts pathway under the career and technical education program framework;
- C. Considering technical mathematics and technical writing as equivalencies to local secondary school course work requirements; and
- D. Exploring the availability of internships and apprenticeships statewide related to a program of study;

7. Consider refinements to career and technical education certification including:

- A. Changing current endorsement codes to their assigned classification of instructional program codes;
- B. Creating an endorsement code for the career and technical education essential programs and services funded positions of career and technical education student services coordinator and career and technical education career counselor; and
- C. Initiating a career and technical education certification sub-workgroup composed of Department of Education representatives, career and technical education directors, career and technical education student services coordinators and career and technical education career counselors to review career and technical education certification rulemaking; and

8. Use the data provided by the Maine Education Policy Research Institute draft report available in the summer of 2021 to consider the following options:

- A. Fully funding the essential programs and services career and technical education funding formula as proposed by the Maine Education Policy Research Institute to support the State Board of Education goal of increasing statewide career and technical education enrollment, including an additional per-pupil weight for students with special needs and English language learners;
- B. Creating a formula approach to include an allowance for yearly building maintenance, capital improvements and equipment costs;
- C. Funding middle school career and technical education separately from high school career and technical education based on the data provided at the completion of the current pilot projects for middle school career and technical education exploration pursuant to the Maine Revised Statutes, Title 20-A, section 15688-A, subsection 8;

D. Developing a regional index for salary adjustments across the State with a specific career and technical education teacher and administrator salary matrix; and

E. Examining an adjustment to the student-to-teacher ratio for those career and technical education programs that have legal requirements or industry restrictions determining the student-to-teacher ratio.

**Sec. 4. Report. Resolved:** That the Department of Education shall submit an interim report to the Joint Standing Committee on Education and Cultural Affairs no later than December 15, 2021 on the work conducted by the work group and any recommendations developed. The Department of Education shall submit a final report no later than March 15, 2022. The Joint Standing Committee on Education and Cultural Affairs may submit legislation related to either report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

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**CHAPTER 37**

**H.P. 260 - L.D. 362**

**Resolve, To Require the Department of Education To Report on Family Income Data Collection**

**Sec. 1. Report. Resolved:** That, by January 15, 2022, the Department of Education shall submit a report to the Joint Standing Committee on Education and Cultural Affairs on strategies to use alternative databases and family income measures to determine eligibility for public school nutrition programs. The Joint Standing Committee on Education and Cultural Affairs may submit legislation related to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

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**CHAPTER 38**

**H.P. 403 - L.D. 558**

**Resolve, Directing the Department of Agriculture, Conservation and Forestry To Develop a Study Plan Relating to Perfluoroalkyl and Polyfluoroalkyl Substances Contamination in the Agricultural Sector**

**Sec. 1. Department of Agriculture, Conservation and Forestry; study plan. Resolved:** That

the Department of Agriculture, Conservation and Forestry shall develop a comprehensive research study plan to identify and aid farmers who are or may be affected by perfluoroalkyl and polyfluoroalkyl substances contamination. The department shall develop the study plan in consultation with research partners, including, but not limited to, the University of Maine; the University of Maine Cooperative Extension; the Department of Environmental Protection; and the Department of Health and Human Services, Maine Center for Disease Control and Prevention. In developing the study plan, the department may consult with a statewide organization working to protect the public and the environment from toxic chemicals and a statewide organization representing organic gardeners and farmers. The study plan must include research topic areas that may include alternative agricultural business planning including energy production and alternative cropping systems, study needs, possible roles of state agencies and research collaborators to conduct the work, proposed time frames and a proposed budget and target sources of funding for implementing the plan. The department shall submit a report regarding the comprehensive research study plan, including findings and recommendations, to the Joint Standing Committee on Agriculture, Conservation and Forestry by February 1, 2022.

See title page for effective date.

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**CHAPTER 39**

**H.P. 440 - L.D. 604**

**Resolve, Directing the Department of Education To Report on Charter School Funding Methods and Reporting Protocols**

**Sec. 1. Department of Education to report on charter school funding methods and reporting protocols. Resolved:** That the Department of Education, in conjunction with the Maine Education Policy Research Institute, shall report to the Joint Standing Committee on Education and Cultural Affairs no later than February 1, 2022 on funding methods and reporting protocols of public charter schools. The report must include financing mechanisms and methods used across the country, how other states handle the reporting of public financing of charter schools and the methods for informing state legislatures, the public and other interested parties on how charter schools are funded within a particular state.

See title page for effective date.