

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

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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

**CHAPTER 65
H.P. 194 - L.D. 278**

**Resolve, Directing the
Department of Education To
Develop a Process for the
Consideration and
Implementation of Changes to
Mandated Instruction or
Training for Students**

Sec. 1. Department of Education to develop a process for the consideration and implementation of changes to mandated instruction or training for students. Resolved: That the Department of Education shall develop a process and a timeline for reviewing legislation that proposes to mandate instruction or training for students. No later than January 15, 2022, the Department of Education shall report to the Joint Standing Committee on Education and Cultural Affairs on the process it develops and recommendations regarding review of mandated instruction or training proposals. The Joint Standing Committee on Education and Cultural Affairs may report out a bill to the Second Regular Session of the 130th Legislature related to the report.

See title page for effective date.

**CHAPTER 66
S.P. 366 - L.D. 1105**

**Resolve, Directing the Maine
Public Employees Retirement
System To Convene a Working
Group To Investigate Public
Pension Options**

Sec. 1. Maine Public Employees Retirement System to convene working group. Resolved: That the Maine Public Employees Retirement System shall convene a working group of representatives of public employers, including the State and school administrative units, and public employees, including the Maine Service Employees Association and the Maine Education Association, to work together to develop new designs for public employee pensions that are based on social security and have comparable benefits to the current defined benefit plan. The working group shall build on work completed by the working group that was convened pursuant to Public Law 2011, chapter 380, Part U to refine and further develop options. The Maine Public Employees Retirement System shall submit to the Legislature no later than December 1, 2021 a report containing options for public pensions

developed by the working group and proposed plans and timelines for implementation.

See title page for effective date.

**CHAPTER 67
H.P. 1169 - L.D. 1572**

**Resolve, To Analyze the Impact
of Sea Level Rise**

Preamble. Whereas, the scientific and technical subcommittee of the Maine Climate Council determined it is likely that the sea level in Maine will rise between 3 and 5 feet by the year 2100 based on an intermediate sea level rise scenario, although scenarios of higher rise are physically plausible; and

Whereas, a one-foot increase in sea level in the future will lead to a 15-fold increase in the frequency of nuisance flooding and would cause a 100-year storm flood level to have a probability of occurring once every 10 years; and

Whereas, communities with a strong dependence on waterfront and shorefront industries such as tourism, ports and fishing will be heavily disrupted by increased flood frequency; and

Whereas, sea level rise of 4 feet by 2100 is projected to cause more than \$671,000,000 in cumulative building losses and \$665,000,000 in gross domestic product losses in Maine; and

Whereas, 1.5 feet of relative sea level rise by 2050 and 4 feet by 2100 would cause immersion and submersion of land and accompanying materials, structures and facilities that are not currently designed for those conditions and, therefore, present a threat of release of pollutants to the environment; and

Whereas, the scientific and technical subcommittee of the Maine Climate Council has recommended that the State manage for 1.5 feet of relative sea level rise by 2050 and 4 feet by 2100; now, therefore, be it

Sec. 1. Department review of laws and rules. Resolved: That the Department of Agriculture, Conservation and Forestry, the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency, the Department of Environmental Protection, the Department of Inland Fisheries and Wildlife, the Department of Marine Resources, the Department of Transportation and the Office of the Attorney General shall conduct a review of the laws and rules they are charged with administering under the Maine Revised Statutes and, by January 1, 2022, shall recommend to the Joint Standing Committee on Environment and Natural Resources any changes necessary to:

1. Incorporate consideration of 1.5 feet of relative sea level rise by 2050 and 4 feet by 2100 into administration of those laws and rules; and

2. Implement the strategy designated as "Strategy F3" in the state climate action plan issued by the Maine Climate Council in 2020 pursuant to the Maine Revised Statutes, Title 38, section 577 to enhance community resilience to flooding and other climate impacts.

The Joint Standing Committee on Environment and Natural Resources may report out legislation to implement the recommendations to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 68

H.P. 1253 - L.D. 1684

**Resolve, To Strengthen
Maine's Workforce by
Expanding English Language
Acquisition and Workforce
Training Programs**

Sec. 1. Department of Education to establish a grant process for adult education programs for English language acquisition and workforce training programs. Resolved: That the Department of Education's office of adult education, referred to in this resolve as "the office," shall establish a grant process to provide funding on a competitive basis to adult education programs of school administrative units in communities experiencing an increase in immigrant populations or demand to reduce the waiting list for English language acquisition classes or to increase the levels, frequency or intensity of English language acquisition instruction offered as needed by the communities and to provide industry-specific English language acquisition combined with workforce training in the specific skill areas required for identified workforce needs of employers in this State in accordance with this resolve. The office shall award grants to eligible adult education programs in a number and amount determined by available funding.

Sec. 2. English language acquisition courses and workforce training grants. Resolved: That the amount of a grant under this resolve is determined by the office based upon the needs of the area to be served and the availability of funding. The office shall consider grants to cover all areas of the State with an emphasis on areas with large immigrant populations, where there is a need for skilled workers that training under this resolve may provide or areas with growing industries.

1. English language acquisition courses grants. An eligible proposal for an English language acquisition course grant under this subsection must include

provisions for initiating or expanding English language acquisition courses for participating students.

2. Industry-specific English language acquisition workforce training grants. An eligible proposal for a grant under this subsection must include provisions for:

A. Intensive industry-specific English language and vocabulary classes for participating potential employees, including immigrants who have not yet received federal work permits, newly hired employees and incumbent employees;

B. Intensive workforce training classes for participating potential employees, including immigrants who have not yet received federal work permits, newly hired employees and incumbent employees that include habits of work, including but not limited to basic skills necessary to obtain, maintain and advance in employment, such as interviewing and communications skills, and that acquaint immigrants with the culture of the workplace;

C. Interviewing immigrant participants and identifying the education level, English language ability, skill sets, work experience, qualifications and credentials of each immigrant participant;

D. Collaboration with participating employers to:

(1) Identify the employers' specific workforce needs;

(2) Identify skills needed for positions required by the employers;

(3) Receive input from the employers for the design of the training classes under this subsection, including information on required English language proficiency, workplace culture, on-site space or other vocational training elements such as tools, manuals or site tours;

(4) For proposals by specific employers to train newly hired or incumbent employees, ensure that the employers provide the time and space to offer training classes under this subsection on site at the employers' workplaces or, where that is not feasible, that employers provide at no cost to participants supports such as transportation and incentives to prioritize, encourage and facilitate employee participation;

(5) Unless participating employers can establish that they have already undergone such training within the 12 months prior to the grant submission date, ensure that, within the first 12 months of participating in the grant process, employers receive at least 12 hours of formal training on systemic bias and inequities and cultural competency regarding bridging effectively across a wide variety of cultural similar-