

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 2022 to March 30, 2023**

**FIRST SPECIAL SESSION**  
**April 5, 2023 to July 26, 2023**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NONEMERGENCY LAWS IS**  
**JUNE 29, 2023**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NONEMERGENCY LAWS IS**  
**OCTOBER 25, 2023**

**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**  
**2023**

2. Incest, unlawful sexual contact, sexual abuse of a minor, rape or gross sexual assault, formerly denominated as gross sexual misconduct, unlawful sexual touching or sexual exploitation of a minor for which the prosecution was not barred by the statute of limitations in force immediately prior to the effective date of this Act.

See title page for effective date.

**CHAPTER 476  
S.P. 721 - L.D. 1796**

**An Act to Protect Maine's  
Transit Employees**

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

**Sec. 1. 30-A MRSA §3520** is enacted to read:

**§3520. Protection of transit employees**

**1. Posting of signs.** A transit district shall post signs in conspicuous places in all transit district facilities accessible to the public, including a building, terminal, kiosk, shelter or passenger rail, ferry, bus, bicycle or pedestrian facility, informing the public of the penalties for assaulting a transit employee.

**2. De-escalation training.** All employees of a transit district must receive de-escalation training upon commencement of employment with the transit district and at least once annually thereafter. The transit district shall jointly approve the de-escalation training curriculum with the labor organization representing a plurality of the employees of the transit district, except that if the transit district is party to a joint labor-management safety committee, the committee shall approve the curriculum. For purposes of this subsection, "de-escalation" means the reduction of violent or disruptive behavior and resolution and minimization of conflict through verbal engagement and calming techniques.

See title page for effective date.

**CHAPTER 477  
S.P. 724 - L.D. 1799**

**An Act to Expand Maine's  
High-quality Early Learning  
and Care for Children by  
Increasing Public Preschool  
Opportunities in Communities**

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

**Sec. 1. 20-A MRSA §4272** is enacted to read:

**§4272. Expansion of public preschool programs report**

The commissioner shall report annually by February 15th to the joint standing committee of the Legislature having jurisdiction over education matters on the department's initiatives, incentives and progress to expand public preschool programs.

**Sec. 2. 20-A MRSA §4501, first ¶,** as amended by PL 2019, c. 343, Pt. UUUU, §1, is further amended to read:

In accordance with the policy expressed in section 2, every school administrative unit shall raise annually sufficient funds to maintain or support elementary and secondary schools to provide free education for its resident students at all grade levels. These schools shall meet the requirements of basic school approval. To the extent the State provides adequate start-up funding, a school administrative unit may offer an opportunity for every child 4 years of age residing in the school administrative unit to attend a public preschool program, or a program affiliated with the school administrative unit, meeting the requirements of basic school approval. It is the goal of the State to provide adequate start-up funding to ensure that public preschool programs for children 4 years of age are offered by all school administrative units by the 2023-2024 school year establish an equitable, mixed-delivery public preschool system that provides universal access for preschool-aged children and their families in accordance with the following timeline: 60% by the 2024-2025 school year; 80% by the 2025-2026 school year; and 100% by the 2026-2027 school year.

**Sec. 3. Commission established.** The Commission to Study Expansion of Public Preschool and Early Care and Education, referred to in this section as "the commission," is established.

1. Notwithstanding Joint Rule 353, the commission consists of 15 members appointed as follows:

- A. Two members of the Senate appointed by the President of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature;
- B. Two members of the House of Representatives appointed by the Speaker of the House, including a member from each of the 2 parties holding the largest number of seats in the Legislature;
- C. One representative from the Department of Health and Human Services involved in the provision of services for children and families of children under 5 years of age selected by the Commissioner of Health and Human Services;
- D. One representative from the Department of Education involved in the provision of services for children and families of children under 5 years of age selected by the Commissioner of Education;

E. One representative of the public school system nominated by the Maine School Management Association and appointed by the President of the Senate;

F. Two parents of children who are under 5 years of age who have used state services for their children, one appointed by the President of the Senate and one appointed by the Speaker of the House;

G. One representative of family child care services appointed by the President of the Senate;

H. One representative of a Head Start program appointed by the President of the Senate;

I. One representative of center-based child care services appointed by the Speaker of the House;

J. One representative of public preschool teachers appointed by the Speaker of the House;

K. One member with expertise in school funding nominated by the Commissioner of Education and appointed by the Speaker of the House; and

L. One representative from the Child Development Services System selected by the Commissioner of Education.

2. The first-named Senate member is the Senate chair, and the first-named House of Representatives member is the House chair of the commission.

3. All appointments must be made no later than 30 days following the effective date of this Act. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this Act a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

4. The commission shall explore options to provide full-day preschool and pathways for publicly funded early care and education programs. The commission shall establish a plan that must address the following:

A. How to offer publicly funded preschool in all types of programs and classrooms where 4-year-olds are enrolled, including, but not limited to, school administrative units and licensed child care programs such as Head Start programs, child care centers and family child care programs;

B. Partnerships between school administrative units and child care programs that meet or could be supported to meet the public preschool basic approval standards under Department of Education rule Chapter 124: Basic Approval Standards: Public Preschool Programs; and

C. Ways to design a funding formula that can achieve the goal of 100% access to preschool programming by 2026. The commission shall establish a timeline, an implementation plan and incentives to expand publicly funded preschool programming to 30 hours per week or the length of the local school day at a school administrative unit with the goal of establishing an equitable, mixed-delivery public preschool system that provides universal access for preschool-aged children and their families as follows: 60% by the 2024-2025 school year; 80% by the 2025-2026 school year; and 100% by the 2026-2027 school year.

5. The commission may also study and make recommendations on aligning programs and blending and braiding funding in early care and education systems. The commission may make recommendations on the following:

A. Improving the opportunities for children under 5 years of age by ensuring the availability and coordination of early childhood programs and services through the State with a focus on child development, education and supporting the needs of working families;

B. Prioritizing the interests and input of children, parents, providers and the community in designing and delivering early childhood programs and services and the equitable delivery of resources and supports for early childhood education;

C. Determining whether integrating early care and education systems with a central state access point and a regional hub structure could serve as part of a funding structure;

D. Examining how various funding streams can be blended and braided to provide more efficient service delivery for families and providers; and

E. Ensuring that data about programs and early care and early childhood education systems are available to the public and are shared, coordinated and used by the State to improve policies and outcomes for children and families.

6. The Legislative Council shall provide necessary staffing services to the commission, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

7. No later than December 6, 2023, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services. The Joint Standing Committee on Education and Cultural Affairs may report out a bill based on the recommendations to the Second Regular Session of the 131st Legislature.

**Sec. 4. Department of Education responsibilities.** The Department of Education, referred to in this section as "the department," shall inform the Joint Standing Committee on Education and Cultural Affairs and the Commission to Study Expansion of Public Preschool and Early Care and Education on progress relating to the expansion of public preschools, and the department shall:

1. Develop a plan to align the credentials and training earned through the Maine Roads to Quality Professional Development Network with those earned through the Department of Education early childhood education certification. The department, through a professional development and certification stakeholder working group, shall develop a plan that includes the following components:

A. The development of a competency-based credential that recognizes experience, cumulative elective training hours and a demonstration of knowledge and skills in early childhood teaching practices;

B. Reciprocity for credit for or training hours toward certification from other states and countries;

C. A Maine Roads to Quality Professional Development Network career lattice to align with department educator credentials and that considers credentials obtained in the absence of college course work of the same content;

D. Eligibility of family child care providers who hold and maintain national accreditation standards accepted by the Department of Health and Human Services, Office of Child and Family Services as publicly funded preschool locations; and

E. Collaborating with local adult education providers, apprenticeship sponsors, career and technical education programs, the Maine Community College System and the University of Maine System to create articulation agreements between these entities for the transfer of credits for course work related to early childhood education and to facilitate enrollment in courses that lead to the awarding of a postsecondary degree by an accredited institution of higher education; and

2. Report to the Commission to Study Expansion of Public Preschool and Early Care and Education and the Joint Standing Committee on Education and Cultural Affairs on progress relating to public preschool expansion, including establishing state and community partnerships for a mixed delivery of child care and early childhood education programs and services through community and school-based providers by November 15, 2023.

See title page for effective date.

**CHAPTER 478  
S.P. 727 - L.D. 1802**

**An Act to Include Certain  
Volunteer Firefighters in the  
Tax Credit for Employers of  
Individuals Who Are Volunteer  
Firefighters or Volunteer  
Municipal Emergency Medical  
Services Persons**

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

**Sec. 1. 30-A MRSA §3151, sub-§2**, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6 and c. 9, §2 and c. 104, Pt. C, §§8 and 10, is further amended to read:

**2. Municipal firefighter.** "Municipal firefighter" means an active member, whether full-time, part-time or on call, of a municipal fire department, who aids in the extinguishment of fires or an individual who receives compensation from the municipality for aiding in the extinguishment of fires. "Municipal firefighter" includes a volunteer municipal firefighter.

**Sec. 2. 30-A MRSA §3151, sub-§5** is enacted to read:

**5. Volunteer municipal firefighter.** "Volunteer municipal firefighter" means a part-time or on-call municipal firefighter who receives up to 20% of the compensation of a full-time municipal firefighter and who may receive injury and death benefits.

**Sec. 3. 36 MRSA §5217-F**, as enacted by PL 2021, c. 731, §5, is amended to read:

**§5217-F. Employer support for volunteer firefighters and volunteer municipal emergency medical services persons and volunteer municipal firefighters**

For tax years beginning on or after January 1, 2022, an employer who employs an individual who is a volunteer firefighter, ~~as defined in Title 30-A, section 3151, subsection 4,~~ or a volunteer municipal emergency medical services person ~~or, for tax years beginning on or after January 1, 2025, a volunteer municipal firefighter~~ and who permits that employee to respond to fire calls or emergency medical services calls, as appropriate, during hours when the employee is scheduled to work without a reduction in pay is eligible for a credit against the tax imposed by this Part equal to the compensation that is paid to the employee at the employee's regular rate of pay during the time when the employee is away from work due to firefighting or emergency response responsibilities. For the purposes of this subsection, "volunteer firefighter" has the same meaning as in Title 30-A, section 3151, subsection 4; "volunteer municipal emergency medical services person" means an