

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
SECOND REGULAR SESSION



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON
LABOR AND HOUSING**

July 2022

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STAFF:

STEVEN LANGLIN, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/opla/>

*Committee chair for portion of session

**Committee member for portion of session

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LD 912 An Act To Extend Family Medical Leave to Hourly School Employees

ENACTED LAW SUMMARY

Public Law 2021, chapter 690 allows an employee of a school administrative unit who has worked at least 900 hours in the previous 12-month period to be eligible for family medical leave under the same terms and conditions as leave provided to eligible employees under the federal Family and Medical Leave Act of 1993.

LD 965 An Act Concerning Nondisclosure Agreements in Employment

ENACTED LAW SUMMARY

Public Law 2021, chapter 760 provides that an employer may not require an employee, intern or applicant for employment to enter into a contract or agreement that waives or limits any right to report or discuss unlawful employment discrimination occurring in the workplace or at work-related events.

The law also provides that an employer may not require an employee, intern or applicant for employment to enter into a settlement, separation or severance agreement that includes a provision that:

1. Limits an individual's right to report, testify or provide evidence to a federal or state agency that enforces employment or discrimination laws;
2. Prevents an individual from testifying or providing evidence in federal and state court proceedings in response to legal process; or
3. Prohibits an individual from reporting conduct to a law enforcement agency.

The law provides that a settlement, separation or severance agreement may include a provision that prevents the subsequent disclosure of factual information relating to a claim of unlawful employment discrimination if:

1. The agreement expressly provides for separate monetary consideration for the provision in addition to anything of value to which the employee, intern or applicant for employment is already entitled;
2. The provision applies to all parties to the agreement to the extent otherwise permitted by law;
3. The agreement clearly states that the individual retains the right to report, testify or provide evidence to federal and state agencies that enforce employment or discrimination laws and to testify and provide evidence in federal and state court proceedings; and

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4. The employer retains a copy of the agreement for six years following the execution of the agreement or the end of employment, whichever is later.

The law provides that the Department of Labor shall enforce the Act and the Attorney General may bring an action under the Act to impose a fine or to enjoin further violation. It provides that an employer that intentionally violates this section commits a civil violation for which a fine of up to \$1,000 may be adjudged.

LD 1240 Resolve, To Review Barriers to Regional Solutions for Housing Choices

ENACTED LAW SUMMARY

Resolve 2021, chapter 184 establishes the Commission To Increase Housing Opportunities in Maine by Studying Land Use Regulations and Short-term Rentals, which is a 17-member commission. The commission is directed to review data on housing shortages in the State for low-income and middle-income households and data on the conversion of housing units to short-term rentals in the State; review state laws that affect the local regulation of land use and short-term rentals and consider whether they fulfill the goals set forth in the Maine Revised Statutes, Title 30-A, section 4312, subsection 3, including but not limited to the promotion of affordable housing, the promotion of an economic climate that increases job opportunities and overall economic well-being and the protection of the State's water resources and other critical natural resources; review efforts in other states and municipalities to address housing shortages through changes to land use restrictions and regulation of short-term rentals; and consider measures that would encourage municipalities to increase available housing, including but not limited to municipal incentives and statewide regulation of short-term rentals. It also directs the commission to consider strategies for affordable home ownership through changes to land use restrictions.

The commission must, no later than November 2, 2022, submit a report, including suggested legislation, to the joint standing committee of the Legislature having jurisdiction over housing matters.

LD 1656 An Act To Promote Energy-efficient Affordable Housing

ENACTED LAW SUMMARY

Public Law 2021, chapter 718 requires that the Maine State Housing Authority condition approval of funding of a housing project upon an applicant's compliance with housing design standards and requirements related to energy-efficient design and sustainability. It also directs the Maine State Housing Authority to adopt rules by January 1, 2024, and requires that the Maine State Housing Authority collaborate with the Efficiency Maine Trust, when appropriate, using existing resources.