



Maine SHRM Government Affairs 125th Legislature Wrap Up

July 20, 2011

This edition offers updates on all the bills we tracked in the 125th Maine Legislature to date. Be sure to visit our [site](#) for more background on these bills as well as updates on the Executive branch and related information from this very lively year to date! As always, we will continue to update on LinkedIn and Twitter while the Legislature is not in session, so be sure to check in there when you can.

Since Our Last Update

The Maine State Senate adjourned Wednesday, June 29, 2011. The effective date for nonemergency laws passed in the First Regular Session of the 125th Legislature is **Wednesday, September 28, 2011**. The Second Regular Session will convene on January 5, 2012. However, a special session is expected in September to address Maine's need to redistrict before the 2012 elections. Right now, District 1 has close to 9,000 more residents than District 2. A special commission has been appointed to make recommendations. Nominations and some emergency measures may also be considered during the special session.

- Here are the [bills](#) approved for carry-over to the second regular session of the 125th Legislature. Please read further for more detail on bills we have tracked this session.
- As many of you know, our very own Jeanne Paquette was appointed Deputy Commissioner of Labor. More here: <http://www.sunjournal.com/city/story/1045660>
- Gov. LePage signed three bills expanding the rights of concealed weapons permit holders in Maine into law in late June.
 - One of the bills would bar businesses from prohibiting employees who have concealed firearms permits from keeping a firearm in their vehicle, as long as the vehicle is locked and the firearm is not visible. (Good ol' LD 35, now PL Chapter 393!) Verrill Dana has put out a nice piece to assist employers in complying with the new law [here](#).
 - Another bill allows a law enforcement officer from another state to carry a concealed firearm in Maine, provided the officer also has proper police identification.
 - The third bill will allow concealed weapons permit holders to carry weapons in state parks and historic sites. The bill was scaled back to eliminate other locations, including bars and the State House. (Note - metal detectors are being installed at the State House in wake of recent threats.)

It may also be helpful to revisit [what](#) happens to bills after session.

Accomplishments This Term

It seems appropriate to reflect a bit on our accomplishments as HR professionals "having our say" in Maine Government Affairs. These are the fruit of your efforts. **Kudos and thanks to you who made these possible!**

- Recognition by Legislative Leaders of our presence as we offered input early in the session on the plan to abolish the Labor Committee. Respectful, thought-provoking feedback helped affirm our expertise and the need for our voice to be heard in Augusta.
- Agreement on how to take positions as a council representing HR professionals across Maine. Give yourselves a round on that one! It is no small feat to speak with one voice from all corners of Maine, all areas of our profession, all industries, generations and backgrounds. We proved we ARE the voice of reason, respect and resolution!

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- Human Resource Professionals Day Proclamation – while we have been fortunate to attain this goal before, to achieve it this year with so many cutbacks and so much going on at once in Augusta including a complete reworking of state government speaks highly of our profession.
- Human Resource Professional (HRP) Day - Our government affairs forum in Augusta was well attended and we both learned and taught. SHRM agreed and recognized our efforts too. More [here](#) and [here](#) and pictures [here](#).
- While not our accomplishment directly, it also speaks volumes that one of our own, [Sue Wasserott](#), was appointed legislative aide to House Speaker Nutting.
- The official positions we took on several bills, including weapons in the workplace, the Labor committee and leaves of absence and the influence we had on other bills we did not officially weigh in on as a larger group, but did on a smaller scale, eg – healthcare, hours of work for minors, union representation.
- Outreach to other groups on issues so we might have greater influence – eg – Maine Chamber, Maine Staffing Association and others.
- SHRM advocacy program – This program is run by SHRM national, but it is local and will have great impact in the years to come as more is done to influence our Congressional delegation from within Maine.
- Some very special programs offered at the chapter level that really helped to showcase HR to decision makers as well as to help HR professionals have a say. These included programs at NESHRM, KVHRA and HRASM with both celebrity pundits and lower profile key players from industry, trade groups, brokers and others.

OK, so clearly we HR folks rock.

Final Disposition of Bills

Out of about 1600 bills, these are the one we have tracked for you.

- LD1 – **An Act To Ensure Regulatory Fairness and Reform** – became law as PL, Chapter 304 and it was an emergency measure so it became effective upon the signature of the Governor on June 13th. As you will recall, there have been many revisions to the bill since its drafting and while it initially was thought it would contain a provisions germane to HR professionals, in the end it was devoted to a lot of regulatory reform on the environmental protection arena. This is an ongoing initiative, however, and regulatory reform will come our way and we will let you know when it does.

Workers Compensation

Passed

- LD 1056 - **An Act To Increase the Availability of Independent Medical Examiners under the Workers' Compensation Act of 1992**– Amendment replaced the bill. It specifies that health care providers who examine injured workers at the request of an employer in accordance with the Maine Revised Statutes, Title 39A, Section 207 are limited to 12 such examinations per calendar year. It adds the requirement that independent medical examiners be certified in the field of practice of the injury by a board recognized by the American Board of Medical Specialties or the American Osteopathic Association. It clarifies that an independent medical examiner may not be assigned to an injured worker if the independent medical examiner has previously examined the worker or has been closely affiliated with the insurance company at any time during the preceding 52 weeks unless there is no other physician reasonably available. The amendment requires that an independent medical examiner that examines an injured worker at the request of the employer in accordance with Title 39A, section 207 notify the Workers' Compensation Board of the name of the employee, the employer or the insurer that requested the examination and the date of the examination within 10 days of the date of the examination. The amendment also requires that the board submit a report that includes findings and recommendations by January 15, 2013 to the joint standing committee of the Legislature having jurisdiction over workers' compensation matters regarding the board's review of the selection process of independent medical examiners and the number of independent medical examiners who have examined injured workers at the request of employers or insurers. The joint standing committee is authorized to introduce a

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bill related to the board's report to the First Regular Session of the 126th Legislature. **This became law as an emergency measure on June 3, 2011.** PL, Chapter 215

- LD 1244 –**An Act Regarding Payment of Medical Fees in the Workers' Compensation System** . The new law directs the Workers' Compensation Board to adopt rules to establish a medical fee schedule for services provided under the Maine Workers' Compensation Act of 1992 by individual health care practitioners and health care facilities based upon the Medicare payment methodologies that are the basis for most health care payment systems today. The amendment removes any reference in existing workers' compensation law to "usual and customary charge." The amendment requires an annual update of the medical billing and coding systems underlying the medical fee schedule and requires a more comprehensive review of the medical fee schedule every 3 years beginning in 2014. It directs the executive director of the Workers' Compensation Board to obtain annually from the Maine Health Data Organization the private 3rd#party average payment rates across all private payors and all providers in the Maine Health Data Organization's database for the most common medical services rendered under the Maine Workers' Compensation Act of 1992 during the previous year. The amendment requires the Workers' Compensation Board to complete its current medical fee rulemaking by December 31, 2011 and to report to the Joint Standing Committee on Labor, Commerce, Research and Economic Development regarding the status of the medical fee schedule not later than February 15, 2012. PL, Chapter 338
- LD 1268 –**An Act to Allow the Repayment of Improperly Awarded Workers Compensation Benefits** - Current law authorizes an employer or insurer to recover from an employee overpayments made pending an appeal to the Law Court. This bill extends that authorization to allow an insurer or employer to recover overpayments made to an employee pending a motion for findings of fact and conclusions of law filed with the hearing officer. Another bill, LD 1285 addressed the WC assessment process, but did not pass. PL, Chapter 361
- LD 768 - **An Act To Amend the Laws Relating to Group Trusts Established by Group Self-insurers of Workers' Compensation Benefits** . It provides that if a member of a group self-insurer for workers' compensation benefits terminates membership in the group, that member is entitled to share in the release of surplus funds from the trust established by the group self-insurer if funding by that member to the 95% confidence level occurs within one year. The bill clarified that while a trust is responsible for payment of a departing member's liabilities, the trust is not required to set aside additional trust assets for that exposure. PL, Chapter 98.
- LD 1099 –**An Act Concerning Independent Contractors in the Trucking and Messenger Courier Industries** – This law allows a person engaged in freight transportation or courier and messenger services to be considered an independent contractor either by meeting all of the factors for determining independent contractor status described in the bill or by being able to provide proof of coverage under a workers' compensation policy. An amendment changed one of the factors to require that there be a statement signed by both the person providing the services and the hiring entity that the person meets all of the requirements for being an independent contractor and is considered an independent contractor. Finally, this amendment provides for the repeal of these provisions on October 1, 2013. PL, Chapter 176

Did Not Pass

- LD 1055 - **An Act Regarding the Computation of Workers' Compensation Rates Based on Past Claims.** *Did not pass.*
- LD 1065 – **An Act To Amend the Laws Governing the Determination of Permanent Impairment under the Maine Workers' Compensation Act of 1992** – *Did not pass.*
- LD 1078 – **An Act to Amend the Audit and Enforcement Functions of the Workers' Compensation Board.** *Did not pass.*
- LD 783 – **An Act To Amend the Laws Governing Captive Insurance Companies.** *Did not pass.*

Unemployment Insurance

Passed

- LD 269 – **An Act To Implement a Maine Unemployment Insurance Work-sharing Program – The bill became law without the Governor's signature:** http://www.mainelegislature.org/legis/bills/bills_125th/chapters/PUBLIC91.asp
This law created a worksharing program as an alternative to layoffs during a temporary slowdown in business. This

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would allow an employer to avoid layoffs by reducing the number of regularly scheduled hours of work for all workers in a specific unit or department or the business as a whole. Unemployment insurance benefits for the reduced hours of work are then payable as a proportion of the benefit amount for a full week of unemployment. This requires an approved plan in place at the employer. The original bill was amended to clarify that a public employer is included in the definition of "eligible employer" within the work-sharing program. It also directs the Commissioner of Labor to adopt routine technical rules to implement the work-sharing program. The amendment requires 2 separate reports from the Commissioner of Labor to the joint standing committee of the Legislature having jurisdiction over labor matters and establishes an effective date of March 1, 2012 with a repeal date of February 28, 2014 for the worksharing program. PL, Chapter 91

- LD 1117 - **Resolve, To Require the Commissioner of Labor To Convene a Stakeholder Group To Determine the Most Appropriate Amount of Time an Employer May Employ an Employee without Being Subject to Unemployment Compensation Requirements** (originally entitled: An Act to Promote the Hiring of Seasonal Workers) – Passed as a Resolve, it directs the Commissioner of Labor to establish a stakeholder group to determine the most appropriate amount of time an employer may employ an employee without the employer's being subject to unemployment compensation requirements. PL, Chapter 85
- LD 1057 – **An Act to Increase the Transparency of the Maine Unemployment Compensation Fund** (was called *An Act To Limit Increases in the Unemployment Contribution Rate*) - It directs the Commissioner of Labor to annually publish data on the content and usage of the Unemployment Compensation Fund. The commissioner must separately disclose, for not less than 5 years after enactment, legislative changes affecting the content or usage of the Unemployment Compensation Fund and the impact of those changes. It also requires the Department of Labor, Bureau of Labor Standards to project the impact of proposed benefit changes on employer's experience classifications. PL, Chapter 212
- LD 1238 - **An Act To Establish the Maine Back to Work Program** – Became law without the Governor's signature. It creates the Maine Back to Work Program to provide workplace training to certain eligible unemployment insurance beneficiaries. The bill establishes the program within the Department of Labor, Bureau of Unemployment Compensation to allow an eligible participant who is receiving unemployment insurance benefits pursuant to the Employment Security Law to receive workplace training from an eligible employer. PL, Chapter 84

Did Not Pass

- LD 304 - **An Act to Promote the Hiring of Seasonal Workers** – *Did not pass.*

Wages & Employment Practices

Passed

- LD 207 - **An Act To Amend the Laws Regarding Tips Used in Payment of Service Employees** –The amended bill defines "tip" and clarifies that a sum presented by a customer in recognition of service performed is considered a tip for the service employee even if it is automatically included in the customer's bill or charged to a credit card. It also states that a service charge included in a bill in a banquet or private club setting is not a tip and that the customer must be notified of this, that all employees in the banquet or private club setting must be compensated in accordance with the State's minimum wage and overtime laws and that the service charge can be used to meet these obligations. The amendment further clarifies that tip pooling is a valid practice as described by federal laws and regulations. PL, Chapter 118
- LD 516 - **An Act To Amend Maine Law To Conform with Federal Law Regarding Employment Practices for Certain Minors** –The law extends the hours a student may work when school is in session from 20 to 24 and it extends the hours of work permitted per day from 4 to 6. It also changes the hour to which a student may work on a day preceding a scheduled school day to 10:15 p.m. PL, Chapter 174
- LD 1241 – **An Act To Exempt Employers Subject to Federally Mandated Drug and Alcohol Programs from Maine Substance Abuse Program Laws** - It allows an employer subject to a federally mandated substance abuse testing program to extend its United States Department of Transportation mandated program to its entire workforce and its independent contractors. It allows such employers to have the same substance abuse policy for all employees and

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independent contractors. It directs the Department of Labor, Bureau of Labor Standards to submit a report to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by January 15, 2012 with recommendations on simplifying and streamlining the labor laws dealing with substance abuse testing. The joint standing committee is authorized to introduce a bill related to the report to the Second Regular Session of the 125th Legislature. (It will be interesting to see how this will bump up against medical marijuana use by employees not specifically covered by the DOT regs who work for employers who adopt the policy across the company.) PL.

Chapter 196

- **LD 1257 - An Act Regarding Labor Contracts for Public Works Projects** - Law provides that the plans, specifications and contract documents for a public works project may not require bidders, contractors or subcontractors to enter into or comply with certain agreements with labor organizations. The bill also provides a cause of action to challenge the awarding of a contract that violates these provisions. PL, Chapter 463

Did Not Pass

- **LD 698 – An Act To Bring Wage Equity to the Workplace** - This bill would have prohibited the payment of wages to the highest paid employee that are 10 times higher than the wages paid to the lowest paid employee at the same workplace if the employer has 50 or more employees and the employer receives a state tax credit, state tax break or state funds or is a contractor for public works construction.
- LDs 447 and 457 – *Bills did not pass.* (minimum wage floor and escalator bills)
- **LD 994 - An Act To Promote Responsible Business Practices through a Livable Wage** This bill would have required businesses, in order to receive tax credits, tax reimbursement or tax forgiveness from the State, to pay their employees a livable wage. *Bill did not pass.*
- **LD 788 - An Act To Prohibit Forced Payment of Labor Union Dues or Fees by Workers** - This bill would have changed the landscape of Maine by prohibiting employers from deducting fees from nonunion employees, in essence, disallowing the union shop. This very important bill would bring RTW laws to Maine for the private sector. Maine, along with most of the northeast, allows union shops and this would be a major change for Maine. Perhaps a bit of a refresher on Taft Hartley and related laws will help: http://en.wikipedia.org/wiki/Union_shop . There is a related bill impacting Maine's public sector similar to the bill in Wisconsin we have all heard so much about, LD 309. While we are not following it, you may wish to have a peek at: <http://www.mainelegislature.org/LawMakerWeb/summary.asp?ID=280039408> . *Bill did not pass.*
- **LD 1207 – An Act To Amend the Labor Laws Relating to Certain Agricultural Employees** - This bill sought to repeal a 1975 law and a 1997 law introduced to address violations at DeCoster egg facility. The 1975 law subjected agricultural facilities of this size to OT standards (as you know agricultural workers are normally exempt from OT) and the 1997 law allowed unions. The majority report of the committee had sought to preserve the OT, but repeal the 1997 law. *This bill was carried-over to either a special or the next regular session of the Legislature.*
- **LD 893 – An Act To Require an Employer To Provide Notification Regarding the Employer's Personal Leave Policy to Employees** - *This bill is one we submitted testimony in opposition to while we were at HRP Day.* The bill required that an employer provide notice to an employee regarding whether the terms of employment include provisions for paid personal leave and whether upon cessation of employment accrued personal leave has the same status as wages earned. The notification may be accomplished by including in an employee handbook the policy on personal leave or by posting the policy on personal leave in a conspicuous common area in the place of employment. *The bill did not pass.*
- **LD 1346 - An Act To Enhance Access to the Workplace for Minors** - This was the "training wage" bill. *Bill did not pass.*
- **LD 1383 – An Act To Improve the Process by Which Logging Contractors Hire Legal Foreign Workers** – The purpose of the bill was to simplify the process for employers in the logging industry who hire employees from another country who have been given permission to work in this country. **The labor committee voted on May 20th to carry LD 1383 over until next legislative session. The vote was down party lines with Republicans supporting the carry-over motion, and Democrat voting Ought Not To Pass.** Debate was contentious and an equal fight can be expected when it surfaces again in the second session.

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- LD 1426 – **An Act Concerning Notification to an Employer of Misrepresented Medical Information under the Maine Human Rights Act.** Under current law, information obtained through a so-called "post-offer, pre-employment physical" may be shared with supervisors and managers only for purposes of informing supervisors and managers about work restrictions or accommodations necessary for that employee. This bill sought to authorize such disclosure for the additional purpose of informing supervisors, managers and members of an employer's management team of any misrepresentation, untruthful statement or omission of information by the applicant or employee on any medical form, record or file. MEGAT had expressed concerns about HIPAA and ADA depending on the outcome of such notice. *Bill did not pass.*

Contractor Status

LD 1314, LD 1420 and LD 1450 sought to clarify the definition of independent contractor.

Passed

- LD 1420 – **An Act to Modify the Laws Regarding Status as an Independent Contractor. This bill was enacted as an emergency measure.** The bill defines services provided by an individual to be employment subject to the unemployment compensation laws unless the individual is free from control or direction in performing the services and either:

1. The service is outside the usual course of business or is performed outside of the place of business; or
2. The individual is engaged in an independently established trade or occupation.

The Commissioner of Labor or the commissioner's designee shall convene a stakeholder group with representatives from the Workers' Compensation Board and the Department of Administrative and Financial Services, Maine Revenue Services and shall invite the participation of representatives from the Maine Merchants Association, Maine State Chamber of Commerce, National Federation of Independent Business, Maine Employers' Mutual Insurance Company, American Federation of Labor - Congress of Industrial Organizations, Maine Women's Lobby, Maine Equal Justice Partners, Associated Builders and Contractors, Inc., Associated General Contractors of Maine, Technology Association of Maine and Maine Immigrant Rights Coalition. **The stakeholder group shall develop an employment test to be used in the administration of, without limitation, unemployment compensation law, workers' compensation law and programs of the Department of Labor, Bureau of Labor Standards to determine whether a person is an employee or independent contractor.** The commissioner or the commissioner's designee shall submit a report with recommendations to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by January 15, 2012.

The joint standing committee is authorized to introduce a bill related to the report to the Second Regular Session of the 125th Legislature. PL, Chapter 292 (This is welcome news! We will watch what emerges as one test for all these programs and keep you posted.)

Did Not Pass

- LD 1314- **An Act To Standardize the Definition of "Independent Contractor"** - This bill standardizes the definition of "independent contractor" for employment security law and workers' compensation law. It considers who directs or controls the means and manner of providing the contracted services; who furnishes the tools and equipment necessary to provide the services; whether the business is considered inseparable from the individual for purposes of taxes, profits and liabilities; who exercises control over the management and operations of the business; and who exercises the right and opportunity to perform the services of the business for multiple entities. *Bill was carried over to the next session.*
- LD 1450 – **An Act to Enforce Wage Laws** - The bill had defined "employee," "employer" and "independent contractor" for the purposes of the wages and medium of payment provisions of the labor laws in order to prevent misclassification of employees and their exclusion from wage law protection. It strengthened notification and reporting requirements. The bill had also included shareholders' liability to protect employees hired by corporations that use bankruptcy law to evade payment. It made each violation of the wage and medium of payment provisions that occurs during a separate week, including discriminatory or retaliatory practices, a separate violation. The bill

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also prohibited employer retaliation against employees or others who bring complaints under the law. *Bill did not pass.*

Health Care

Passed

- LD 1333 became PL, Chapter 90 and here is some information to help you sort out this law and how to dovetail it with ACA:
 - Maine Hospital Association has a nice summary here:
<http://www.themha.org/advocacy/Insurancereformssummary.pdf> .
 - Here is the Anthem presentation on LD 1333 from late June, 2011:
http://www.mainechamber.org/docmecc/OurEvents/HealthCareForum/HCforum2011_3KOssenfort.pdf.
 - The establishment of group captives for health insurance in Maine is most intriguing and we will watch to see what entities emerge in addition to the Maine Wellness Association - <http://mainesense.org/For-Employers.aspx>
- LD 1116 – **Restoring Competition in the PBM Marketplace in Maine** repeals the changes that were made a few years ago to make the Pharmacy Benefit Manager model more uniform. This bill became PL, Chapter 443

Did Not Pass

- LD 60 - **An Act To Extend Coverage under the State's Mini-COBRA Law** –This new bill appeared to be trying to give more generous COBRA rights than under fed law to those eligible for mini and "regular" COBRA. *Bill did not pass.*

Weapons in the Workplace

As you will recall, MESHRM submitted a position statement with supporting documentation courtesy of SHRM in opposition to the following weapons bill. In essence, we opposed the bills because we want employer control of the workplace, especially to carry out our responsibilities under the OSHA general duty clause and ensure worker safety.

Passed

- LD 35 - **An Act Relating to Concealed Firearms Locked in Vehicles** –This bill provides that an employer may not prohibit an employee with a valid concealed firearms permit from keeping a firearm in the employee's vehicle as long as the vehicle is locked and the firearm is not visible. MESHRM is opposed, SHRM is opposed, the Maine Chamber is opposed. This bill became PL, Chapter 393 please see section 1 above for recommendations from Verrill Dana on addressing the new law in your workplace.
- LD 1347 - **An Act Relating to Locations Where Concealed Weapons May Be Carried** – Became PL, Chapter 394

Did Not Pass

- LD 658 - **An Act To Modify the Requirement of a Permit To Carry a Concealed Weapon** - alters the concealed weapons laws in the state of Maine so that permits are not needed at all in most cases except a few mentioned in the bill. *Bill did not pass.*
- LD 932 – **An Act To Allow Concealed Weapons in the State House** –This bill provided that a person to whom a valid permit to carry a concealed firearm had been issued could carry a concealed firearm in the State House. *Bill did not pass.*
- LD 1232 - **An Act to Enhance Self-defense by Removing Restrictions on the Carrying and Use of Weapons** . *Bill did not pass.*
- LD 578, a related bill we did not follow (municipality rights to restrict firearms). *Bill did not pass.*

Miscellaneous

Passed

None

Did Not Pass

- LD 636 - **An Act To Ensure Proper Health Information Management** - This bill required a hospital, beginning January 1, 2012, to employ a certified director of health information management. There are concerns about the lack of

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specificity of the bill as well as the necessity of such a bill. It could have had Maine legislating to force sponsorship of one professional certifying organization over another, of course this is usually reserved for industry standards and employer choice/market driven considerations. The bill was also vague on at which certifications “count”. *Bill did not pass.*

- **LD 152 - An Act To Prohibit Employment Discrimination Based on a Prior Criminal Conviction** – This law would forbid employers to hold criminal convictions against applicants if it’s not directly related to the job. *Bill did not pass.*
- **LD 169 - An Act To Allow Veterans Who Work for Employers with More than 50 Employees To Take Veterans Day Off with Full Pay** – This would require employers to give all veterans Veterans’ Day off with full pay. MEGAT and the MS Chamber opposed. *Bill did not pass.*
- **LD 1378 – An Act To Create a State-sponsored 401(k) Retirement Plan for Participation by Private Employers** - The bill directed the Finance Authority of Maine to establish a qualified defined contribution retirement investment plan eligible for favorable tax treatment under Section 401(k) of the United States Internal Revenue Code to be made available to employers who wish to offer the plan as a retirement investment option to their employees. *Bill did not pass.*
- **LD 1235 – An Act To Allow a Tax-free Employee Illness Account** - This bill would have allowed an employer to establish an illness account for employees who do not receive compensated sick leave. Both the employer and employee could contribute to the illness account up to an amount equal to one week of the employee's wages, and the employee may withdraw funds from the account equal to one hour of the employee's wages for every hour the employee is unable to perform the employee's duties due to illness. The employee may also withdraw an amount up to the entire amount in the illness account once every year. The funds contributed to the account would not have been subject to state unemployment tax or income tax. MEGAT was generally opposed to the idea for several reasons including the complexity of administration and poor program design. There was some concern that this might create “backdoor” sick time when the mandate to create a sick time entitlement was defeated last session. The reconciliation of this benefit with other benefits across the tax and employee benefit spectrum would be intense and there are many unanswered questions on how this might work as a practical matter. *Bill did not pass.*
- **LD 1046 – An Act To Amend the Application of the Maine Human Rights Act Regarding Public Accommodations** - This bill provides that it is not unlawful public accommodations discrimination, in violation of the Maine Human Rights Act, for a public or private entity to restrict rest room or shower facilities that are part of public accommodations to restrict the use of single-sex facilities to members of a biological sex regardless of sexual orientation. Unless otherwise indicated, a rest room or shower facility designated for one biological sex is presumed to be restricted to that biological sex. This preserves the MHRC rulings ensuring transgender use. *Bill did not pass.*

We will do our best to continue to update you and support you in having your say.

So it’s handy, here is all relevant contact information:

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