

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTY-FIRST LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 3, 2024 to May 10, 2024**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 9, 2024**

**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**  
**2024**

**CHAPTER 536  
H.P. 819 - L.D. 1294**

**An Act Regarding the  
Ordinances Governing  
Residential Units Located in  
Buildings in a Location Zoned  
for Commercial Use**

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

**Sec. 1. 30-A MRSA §4364-C, sub-§3**, as enacted by PL 2023, c. 490, §1, is amended to read:

**3. Residential units in commercial zones.** As necessary to achieve the statewide and regional housing production goals, a municipality may adopt ordinances to allow the establishment of residential units in high-density areas within buildings located in an area zoned for commercial use, including but not limited to vacant or partially vacant retail property. An ordinance establishing a limit on the number of residential units within a building in a location zoned for commercial use, whether previously adopted or adopted pursuant to this subsection, ~~must~~ may be proportional to the space available for residential units. This subsection is not intended to reduce or change health or safety requirements applicable to residential units located in a municipality.

See title page for effective date.

**CHAPTER 537  
H.P. 1052 - L.D. 1642**

**An Act to Strengthen the  
Teaching of Wabanaki Studies  
in Maine Schools**

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

**Sec. 1. 20-A MRSA §4706**, as amended by PL 2021, c. 247, §1 and affected by §3, is further amended by amending the section headnote to read:

**§4706. Instruction in American history, African American studies, Maine studies, ~~Maine Native American history~~ Wabanaki studies and the history of genocide**

**Sec. 2. 20-A MRSA §4706, sub-§2**, as amended by PL 2021, c. 247, §1 and affected by §3, is further amended to read:

**2. Maine studies.** Maine history, including the Constitution of Maine, Maine geography and environment and the natural, industrial and economic resources of Maine and Maine's cultural and ethnic heritage, must be taught. A required component of Maine studies is

~~Maine Native American Wabanaki studies, and Wabanaki studies may be taught as a component of other content areas, as appropriate, including but not limited to the content areas of English language arts, mathematics, science and fine arts. Maine Native American Wabanaki studies and Maine African American studies~~ must be included in the review of content standards and performance indicators of the learning results conducted in accordance with section 6209, subsection 4. ~~Maine Native American Wabanaki studies~~ must address the following topics:

- A. ~~Maine tribal~~ Wabanaki governments and political systems and their relationship with local, state, national and international governments;
- B. ~~Maine Native American~~ Wabanaki cultural systems and the experience of ~~Maine~~ tribal people throughout history;
- C. ~~Maine Native American~~ Wabanaki territories; and
- D. ~~Maine Native American~~ Wabanaki economic systems.

**Sec. 3. Department of Education review of content standards; Wabanaki studies.** The Commissioner of Education shall, in the commissioner's next regular review of the content standards and performance indicators by content area pursuant to the Maine Revised Statutes, Title 20-A, section 6209, subsection 4, consider inclusion of Wabanaki studies in content areas other than social studies, as appropriate.

See title page for effective date.

**CHAPTER 538  
H.P. 1161 - L.D. 1815**

**An Act to Increase Penalties  
for Violations of the Law  
Governing Monopolies and  
Profiteering**

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

**Sec. 1. 10 MRSA §1104, sub-§1**, as amended by PL 1989, c. 367, is further amended to read:

**1. Right of action and damages.** Any person, including the State or any political subdivision of the State, injured directly or indirectly in its business or property by any other person or corporation by reason of anything forbidden or declared to be unlawful by section 1101, 1102 or 1102-A, may sue for the injury in a civil action. If the court finds for the plaintiff, the plaintiff ~~shall~~ is entitled to recover 3 times the amount of the damages sustained and cost of suit, including necessary and reasonable investigative costs, reasonable experts'

fees and reasonable attorney's fees. The State may recover equitable monetary relief, including restitution and disgorgement.

**Sec. 2. 10 MRSA §1104, sub-§3**, as amended by PL 1991, c. 137, §3, is further amended to read:

**3. Civil penalty.** Each course of conduct that constitutes a violation of section 1101 or 1102 is a civil violation for which a civil penalty of not more than ~~\$100,000~~ \$250,000 for each defendant may be adjudged.

A. In any action initiated by the Attorney General pursuant to this section to prevent and restrain violations of sections 1101 and 1102, the Attorney General may include an action to recover civil penalties by each defendant for each course of conduct alleged.

B. An action to recover a civil penalty from a defendant under this section bars a criminal prosecution pursuant to section 1101 or 1102 against that defendant for the same course of conduct on which the action to recover the civil penalty is based.

C. A criminal prosecution against a defendant pursuant to section 1101 or 1102 bars any action to recover a civil penalty under this section from that defendant for the same course of conduct on which the criminal prosecution is based.

**Sec. 3. 10 MRSA §1109, sub-§3**, as amended by PL 1991, c. 488, is further amended to read:

**3. Report.** The person acquiring stock or assets under subsection 2 shall provide notice of this acquisition to the Department of the Attorney General at least ~~30~~ 90 days prior to the date of acquisition. That period may be shortened with the consent of the Attorney General.

**Sec. 4. 10 MRSA §1109, sub-§5**, as enacted by PL 1989, c. 750, is amended to read:

**5. Penalty.** Violation of this section is a civil violation for which a civil penalty not to exceed ~~\$10,000~~ \$50,000 may be assessed.

See title page for effective date.

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**CHAPTER 539**

**S.P. 783 - L.D. 1921**

**An Act to Amend the Laws  
Regarding State-chartered  
Credit Unions**

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

**Sec. 1. 9-B MRSA §823, sub-§1**, as enacted by PL 1975, c. 550, §1, is amended to read:

**1. Sale of negotiable checks and money orders instruments.** A credit union may engage directly in the business of selling, issuing or registering ~~checks or money orders~~ negotiable instruments to its members.

**Sec. 2. 9-B MRSA §842, sub-§2**, as amended by PL 2003, c. 322, §§29 to 31, is further amended to read:

**2. Powers and duties.** The board of directors shall manage the affairs, funds and records of the credit union and shall meet as often as necessary, but not less than once a month, notice of ~~such the~~ meeting to be made in the manner prescribed in the bylaws. The superintendent may approve fewer meetings upon a credit union's demonstration of good cause. As set forth below, the special duties of the board of directors ~~shall be~~ are:

A. To act upon applications for membership, or to appoint a membership committee of one or more membership officers from among the members of the credit union, other than the treasurer, an assistant treasurer or loan officer, who may be authorized by the board to approve applications for membership under such conditions as the board may prescribe; ~~provided, as long as that such~~ committee or membership officer so authorized shall submit submits to the board at each ~~monthly~~ meeting a list of approved or pending applications for membership received since the previous ~~monthly~~ meeting, together with ~~such~~ other related information as the bylaws or board may require;

B. To fix from time to time the maximum amount, both secured and unsecured, ~~which that~~ may be loaned to any one member, except as limited by chapter 85, and to establish a written loan policy pursuant to section 851, which must be reviewed and ratified at least annually;

C. To authorize the employment of ~~such a~~ person or persons as may be necessary to carry on the business of the credit union; and to fix the compensation of ~~such those~~ employees, including the treasurer;

D. To borrow money to carry on the functions of the credit union, subject to the limitation set forth in section 822;

E. To authorize the conveyance of property;

F. To purchase a blanket bond in an amount ~~which that~~ is not less than an amount recommended by the superintendent, which ~~shall must~~ be required of the treasurer and of each other officer and other employee having custody of funds or property;

G. To limit the number of shares that may be owned by one member or nonmember as provided in section 817, and ~~such that~~ limitation must be applied uniformly;