

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.

Augusta, Maine
2024

any one credit union shall do not exceed 10% of the share capital and surplus of the lending credit union.

See title page for effective date.

**CHAPTER 540
S.P. 854 - L.D. 2026**

**An Act to Authorize Medical
Waivers for Menhaden Fishing
Licenses**

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

Sec. 1. 12 MRSA §6310, sub-§1, as amended by PL 2011, c. 266, Pt. A, §3, is further amended to read:

1. Appeal of license denial. A person who is denied a Class I, Class II or Class III lobster and crab fishing license because that person does not meet the eligibility requirements of section 6421, subsection 5, paragraph A; a person who is denied a handfishing sea urchin license, a sea urchin dragging license or a sea urchin hand-raking and trapping license because that person does not meet the eligibility requirements of section 6749-O, subsection 2-A; or a person who is denied a hand fishing scallop license or a scallop dragging license because that person does not meet the eligibility requirements of section 6706, subsection 2; or a person who is denied a resident commercial menhaden fishing license or a nonresident commercial menhaden fishing license because that person does not meet the eligibility requirements of section 6502-C, subsection 1-B may appeal to the commissioner under this section for a review of that license denial.

Sec. 2. 12 MRSA §6310, sub-§2, ¶D is enacted to read:

D. A resident commercial menhaden fishing license or a nonresident commercial menhaden fishing license may be issued to a person on appeal only if a substantial illness or medical condition on the part of the person or a family member prevented that person from meeting the eligibility requirements for that license and the person documents that the person fished for menhaden while in possession of the same license within one year prior to the onset of the illness or medical condition. The person shall provide the commissioner with documentation from a physician describing the illness or other medical condition. A person must request an appeal under this paragraph within one year of the onset of the illness or medical condition.

See title page for effective date.

**CHAPTER 541
S.P. 860 - L.D. 2032**

**An Act to Improve Maine's
Labor Laws by Changing the
Laws Governing Elections of
Collective Bargaining Agents
for Certain Public Employees**

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

Sec. 1. 26 MRSA §979-F, as amended by PL 1981, c. 277, is further amended to read:

§979-F. Determination of bargaining agent

1. Voluntary recognition. Any state employee organization may file a request with the public employer alleging that a majority of the state employees in an appropriate bargaining unit wish to be represented for the purpose of collective bargaining between the public employer and the employees' organization. ~~Such~~ The request shall ~~must~~ describe the grouping of jobs or positions ~~which that~~ constitute the unit claimed to be appropriate and ~~shall~~ must include a demonstration of majority support. ~~Such~~ The request for recognition ~~shall~~ may be granted by the public employer ~~unless the public employer desires that an election determine whether the organization represents a majority of the members in the bargaining unit.~~

1-A. Majority sign-up. If a request by a state employee organization for recognition pursuant to subsection 1 is not granted by the public employer, the executive director or the executive director's designee shall examine the demonstration of support. If the executive director or the executive director's designee finds that a majority of the employees in a unit appropriate for bargaining have signed valid authorizations designating the employees' organization specified in the petition as their bargaining representative and that no other individual or labor organization is currently certified or recognized as the exclusive representative of any of the employees in the unit, the board may not direct an election but shall certify the employees' organization as the representative. However, if the majority status of the employees in the appropriate unit is in question, the executive director or the executive director's designee shall call an election to determine whether the organization represents a majority of the members in the bargaining unit.

2. Elections.

A. ~~The executive director of the board, or his the executive director's designee upon signed request of a public employer alleging that one or more state employees or state employee organizations have presented to it a claim to be recognized as the representative of a bargaining unit of state employees, pursuant to subsection 1-A, or upon signed petition~~