

# 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**

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.** ~~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 judicial employees or judicial employee organizations have presented to it a claim to be recognized as the representative of a bargaining unit of judicial employees pursuant to subsection 1-A, or upon signed petition of at least 30% of a bargaining unit of judicial employees that they desire to be represented by an organization, shall conduct a secret ballot election to determine whether the organization represents a majority of the members of the bargaining unit. Such an~~ The election may be conducted at suitable work locations or through the United States mail, provided that and the procedures adopted and employed by the board shall maintain the anonymity of the voter from both must ensure that neither the employee organizations and nor the management representatives involved in the election have access to information that would identify a voter.

**3. Voting.**

A. The ballot ~~shall~~ must contain the name of the organization and that of any other organization showing written proof of at least 10% representation of the judicial employees within the unit, together with a choice for any judicial employee to designate that ~~he the judicial employee~~ does not desire to be represented by any bargaining agent. When more than one organization is on the ballot and no one of the 3 or more choices receives a majority vote of the judicial employees voting, a ~~run-off~~ run-off election ~~shall~~ must be held. The ~~runoff~~ run-off ballot ~~shall~~ must contain the 2 choices ~~which that~~ received the largest and 2nd largest number of votes. When an organization receives the majority of votes of those voting, the executive director ~~of the board or the executive director's designee~~ shall certify ~~it the organization~~ as the bargaining agent. The bargaining agent certified as representing a bargaining unit ~~shall~~ must be recognized by the public employer as the ~~sole and~~ exclusive bargaining agent for all of the employees in the bargaining unit, ~~unless and~~ until a decertification

election by secret ballot ~~shall be~~ is held and the bargaining agent declared by the executive director ~~of the board~~ as not representing a majority of the unit.

B. Whenever 30% of the employees in a certified bargaining unit petition for a bargaining agent to be decertified, the procedures for conducting an election on the question ~~shall be~~ of decertification are the same as for representation as a bargaining agent as ~~set forth~~ established in this ~~chapter~~ section.

C. ~~No A~~ question concerning representation may ~~not~~ be raised within one year of a certification or attempted certification. ~~Where~~ When there is a valid collective bargaining agreement in effect, ~~no~~ a question concerning unit or representation may ~~not~~ be raised; except during the period not more than 90 days nor less than 60 days prior to the expiration date of the agreement. Unit clarification proceedings are not subject to this time limitation and may be brought at any time consistent with section 1286, subsection 4.

D. The bargaining agent certified by the executive director ~~of the board~~ or ~~his the executive director's~~ designee as the exclusive bargaining agent shall ~~be required to~~ represent all the judicial employees within the unit without regard to membership in the organization certified as the bargaining agent, ~~provided~~ except that any judicial employee at any time may present ~~his that~~ judicial employee's grievance to the public employer and have that grievance adjusted without the intervention of the bargaining agent; if the adjustment is not inconsistent with the terms of a collective bargaining agreement then in effect and if the bargaining agent's representative has been given reasonable opportunity to be present at any meeting of the parties called for the resolution of that grievance.

See title page for effective date.

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**CHAPTER 542  
H.P. 1311 - L.D. 2049**

**An Act to Increase Safety for  
Child Welfare Services  
Workers**

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

**Sec. 1. 29-A MRS**A §517, sub-§8 is enacted to read:

**8. Unmarked vehicles for child welfare purposes.** Notwithstanding Title 5, section 7, an unmarked motor vehicle used regularly for work protecting the welfare of children under Title 22, chapter 1071, when authorized by the Secretary of State and upon approval

from the appropriate requesting authority, is exempt from displaying a special registration plate.

See title page for effective date.

**CHAPTER 543**

**H.P. 1324 - L.D. 2062**

**An Act to Amend the Laws Governing Real Estate Appraisers and Appraisal Management Companies**

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

**Sec. 1. 32 MRSA §14011, sub-§7**, as enacted by PL 2011, c. 286, Pt. L, §1, is amended to read:

**7. Exemption from standard.** The following are exempt from the requirements of the Uniform Standards of Professional Appraisal Practice, ~~Standard 3 (2011), Standards 3 and 4 (2024):~~

- A. A board member serving in the capacity of assigned complaint officer while performing an investigation or testifying at an adjudicatory hearing;
- B. A board member serving in the capacity of reviewer while reviewing the work experience of an applicant for licensure; and
- C. An investigator employed by or retained by the department while performing an investigation or testifying at an adjudicatory hearing.

**Sec. 2. 32 MRSA §14039, sub-§2**, as enacted by PL 2013, c. 547, §18 and affected by §19, is amended to read:

**2. Certified level license required.** A certified general real property appraiser or certified residential real property appraiser who has held a license in any jurisdiction for a minimum of 3 years and within the last 3 years has not had a license suspended or revoked or been subject to other disciplinary action that limits the licensee's legal eligibility to perform real estate appraisal activity may supervise a trainee real property appraiser.

**Sec. 3. 32 MRSA §14042, sub-§4**, as reenacted by PL 2017, c. 475, Pt. D, §1, is amended to read:

**4. Appraisal management service.** "Appraisal management service" means one or more of the following:

- A. Recruiting, selecting and retaining appraisers;
- B. Contracting with appraisers to perform appraisal assignments;
- C. Managing the process of having an appraisal performed, including, ~~but not limited to:~~ providing administrative services such as receiving appraisal

orders and appraisal reports, submitting completed appraisal reports to creditors and secondary market participants, collecting fees from creditors and secondary market participants for services provided and paying appraisers for services performed; and

- ~~(1) Providing administrative services;~~
- ~~(2) Receiving appraisal orders and appraisal reports;~~
- ~~(3) Submitting completed appraisal reports to creditors and secondary market participants;~~
- ~~(4) Collecting fees from creditors and secondary market participants for services provided; and~~
- ~~(5) Paying appraisers for services performed; and~~

D. Reviewing and verifying the work of appraisers.

**Sec. 4. 32 MRSA §14042, sub-§18**, as reenacted by PL 2017, c. 475, Pt. D, §1, is amended to read:

**18. Federally regulated appraisal management company.** "Federally regulated appraisal management company" means an appraisal management company that is owned and controlled by an insured depository institution, as defined in 12 United States Code, Section 1813 and regulated by the federal Office of the Comptroller of the Currency; ~~Office of the Inspector General,~~ the Board of Governors of the Federal Reserve System; or the Federal Deposit Insurance Corporation.

See title page for effective date.

**CHAPTER 544**

**H.P. 1363 - L.D. 2139**

**An Act to Add Schedule V Substances to the Controlled Substances Prescription Monitoring Program**

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

**Sec. 1. 22 MRSA §7246, sub-§1**, as enacted by PL 2003, c. 483, §1, is amended to read:

**1. Controlled substance.** "Controlled substance" means a controlled substance included in schedules II, III ~~or~~ IV or V of 21 United States Code, Section 812 or 21 Code of Federal Regulations, Section 1308.

See title page for effective date.