

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTIETH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**September 29, 2021**

**SECOND REGULAR SESSION**  
**January 5, 2022 to May 9, 2022**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**DECEMBER 29, 2021**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 8, 2022**

**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**  
**2022**

information required pursuant to this paragraph must be consistent with section 703, subsection 1, paragraphs F and F-1 and contain the number of servings per package;

**Sec. 4. 28-B MRSA §703, sub-§1, ¶F**, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

F. May not contain more than 10 milligrams of THC per serving of the product and may not contain more than 100 milligrams of THC per package of the product, with an allowable variance rate of 10%, except that the allowable variance may not be less than 0.6 milligrams or greater than 5 milligrams. In the calculation of the amount of THC allowed under this paragraph, the allowable variance rate must be in addition to the allowable variance rate applicable to a testing facility pursuant to section 602, subsection 3;

**Sec. 5. 28-B MRSA §703, sub-§1, ¶F-1** is enacted to read:

F-1. May, except as provided in paragraph F, have the amount or potency of cannabinoids calculated using an allowable variance rate of 10%, except that the allowable variance may not be less than 0.6 milligrams or greater than 5 milligrams. In the calculation of the amount or potency of cannabinoids allowed under this paragraph, the allowable variance rate may be in addition to the allowable variance rate applicable to a testing facility pursuant to section 602, subsection 3;

See title page for effective date.

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**CHAPTER 559**

**H.P. 1407 - L.D. 1900**

**An Act To Amend the Laws  
Governing Name Changes**

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

**Sec. 1. 18-C MRSA §1-701, sub-§2**, as amended by PL 2021, c. 14, §1, is further amended to read:

~~**2. Notice and name change; adults; notice.** Upon receipt of a petition filed by an adult under subsection 1, paragraph A, the court, after due notice, may change the name of the person who is an adult. To protect the safety of the person for whom the name change is sought, the court may limit the notice required if the person shows by a preponderance of the evidence that the person is currently in reasonable fear of the person's safety. The court may not require public notice before approving the name change.~~

**Sec. 2. 18-C MRSA §1-701, sub-§2-A**, as enacted by PL 2021, c. 14, §1, is amended to read:

**2-A. Notice and name change; minors.** A parent or guardian who has filed a petition under subsection 1, paragraph B or has requested a name change in a District Court proceeding under subsection 1, paragraph C shall provide notice pursuant to the applicable rules of procedure to any other parent, any guardian and any person or agency with legal custody of the minor; to the guardian ad litem if one is currently appointed; and to the minor if the minor is 14 years of age or older, ~~but does not need to publish notice of the minor's name change unless the court orders that notice of the name change of the minor be published due to the specific circumstances of the case.~~ To protect the safety of the minor for whom the name change is sought, the court may limit notice required under this subsection if the parent who has sole parental rights and responsibilities shows by a preponderance of the evidence that:

- A. The minor is a victim of abuse; or
- B. The minor or petitioner is currently in reasonable fear of the minor's or petitioner's safety.

**Sec. 3. 18-C MRSA §1-701, sub-§3**, as amended by PL 2021, c. 14, §1, is further amended to read:

**3. Record.** The court shall make and preserve a record of a name change. ~~If the court limited the notice required under subsection 2 or 2-A, the~~ The court may make the record of the name change confidential or not public.

See title page for effective date.

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**CHAPTER 560**

**H.P. 1488 - L.D. 2002**

**An Act To Eliminate Inactive  
Boards and Commissions**

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

**Sec. 1. 5 MRSA §12004-G, sub-§15-A**, as amended by PL 2017, c. 407, Pt. A, §8, is repealed.

**Sec. 2. 5 MRSA §12004-H, sub-§10-A**, as enacted by PL 2013, c. 403, §1, is repealed.

**Sec. 3. 5 MRSA §12004-I, sub-§12-B**, as enacted by PL 2015, c. 267, Pt. CCC, §1, is repealed.

**Sec. 4. 5 MRSA §20078-A**, as amended by PL 2017, c. 407, Pt. A, §46, is repealed.

**Sec. 5. 7 MRSA §970, sub-§2**, as enacted by PL 2013, c. 403, §2, is repealed.

**Sec. 6. 7 MRSA §972-B**, as enacted by PL 2013, c. 403, §4, is repealed.

**Sec. 7. 7 MRSA §974-A, sub-§1, ¶D**, as amended by PL 2013, c. 403, §6, is further amended to read:

D. Other terms and conditions prescribed by rule by the board ~~upon consultation with the committee.~~

**Sec. 8. 10 MRSA §1023-N, first ¶**, as amended by PL 2021, c. 31, §4, is further amended to read:

There is created a fund known as the Potato Marketing Improvement Fund, referred to in this section as "the fund." The fund must be deposited with and maintained by the authority to be used solely for investment in the Maine potato industry. The fund must be administered by the Maine Potato Board, established in Title 36, section 4603 and referred to in this section as "the board," ~~and the Potato Marketing Improvement Fund Committee, established in Title 5, section 12004-H, subsection 10-A.~~ All money received by the authority from any source for the development and implementation of improved storage, packing and marketing and programs and activities that improve the economic viability of the potato industry must be credited to the fund. Any money credited to the fund from the issuance of bonds on behalf of the State for agricultural development may be used only for the purposes of state loans as prescribed by Title 7, section 974-A to provide assistance to potato farmers for the design, construction, improvement, support and operation of storage, packing and marketing facilities; for programs and activities that improve the economic viability of the potato industry; and to pay the administrative costs of processing loan applications and servicing and administering the fund and loans and grants made therein, to the extent that the costs exceed the fee for administrative costs established by Title 7, section 974-A, subsection 2-A. At the discretion of the Commissioner of Agriculture, Conservation and Forestry, the authority shall make payments directly to the board, which shall use those payments to implement the requirements of this section. During any period that the commissioner has authorized direct payments from the authority to the board, the authority shall make written annual reports to the commissioner and the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters detailing the amounts of payments to the board and the dates payments were made and detailing the expenditure of those payments. Repayment of the loans and interest on the loans must be credited to the fund to be available for making additional state loans for the same purposes, except that any interest earned on the cash balance of the fund may be used for the grants authorized by Title 7, section 975-A. In order to provide additional amounts for loans, the commissioner, upon consultation with the board, may take such actions and enter into such agreements as may be necessary to sell or assign up to \$2,000,000 in the aggregate principal amount of loans and undivided interests in a pool of loans and assign or pledge any mortgage or

other security to the authority, under the terms and conditions the commissioner considers advisable upon consultation with the board. The assignment and related transactions may not result in indebtedness of the State. The proceeds of the sale or assignment must be credited to the fund and used for the purposes authorized in this section.

**Sec. 9. 20-A MRSA §6663**, as enacted by PL 2015, c. 267, Pt. CCC, §2, is repealed.

**Sec. 10. Appropriations and allocations.** The following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF**

**Commission To End Student Hunger Z192**

Initiative: Eliminates base allocation due to commission being eliminated.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2021-22</b>	<b>2022-23</b>
All Other	\$0	(\$500)
<b>OTHER SPECIAL REVENUE</b>	<b>\$0</b>	<b>(\$500)</b>
<b>FUNDS TOTAL</b>		

See title page for effective date.

**CHAPTER 561**

**H.P. 160 - L.D. 225**

**An Act Regarding the Treatment of Vacation Time upon the Cessation of Employment**

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

**Sec. 1. 26 MRSA §626, first ¶**, as amended by PL 2017, c. 219, §11, is further amended to read:

An employee leaving employment must be paid in full no later than the employee's next established payday. Any overcompensation may be withheld if authorized under section 635 and any loan or advance against future earnings or wages may be deducted if evidenced by a statement in writing signed by the employee. Whenever the terms of employment or the employer's established practice includes provisions for paid vacations, vacation pay on cessation of employment has the same status as wages earned. All unused paid vacation accrued pursuant to the employer's vacation policy on and after January 1, 2023 must be paid to the employee on cessation of employment unless the employee is employed by an employer with 10 or fewer employees or by a public employer. If the employee's employment is governed by a collective bargaining agreement that includes provisions addressing payment of vacation pay