

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND TWELFTH LEGISLATURE

**SECOND REGULAR SESSION**  
January 8, 1986 to April 16, 1986

**SECOND SPECIAL SESSION**  
May 28, 1986 to May 30, 1986

AND AT THE

**THIRD SPECIAL SESSION**  
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Co., Inc.  
Augusta, Maine

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

AS PASSED AT THE  
SECOND REGULAR SESSION  
of the  
ONE HUNDRED AND TWELFTH LEGISLATURE  
1985

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by default, may assess attorney's fees and costs or may impose any other sanction that is appropriate in the circumstances. The court may also impose an appropriate sanction upon a party's failure without good cause to appear for mediation after receiving notice of the scheduled time for mediation.

Sec. 5. 19 MRSA §752, sub-§4, as amended by PL 1985, c. 53, §4, is further amended to read:

4. Mediation. Prior to a contested hearing under this section where there are minor children of the parties, the court shall refer the parties to mediation; except that, for good cause shown, the court, prior to referring the parties to mediation, may hear motions for temporary relief, pending final judgment on any issue or combination of issues for which good cause for temporary relief has been shown. Upon motion supported by affidavit, the court may, for extraordinary cause shown, waive the mediation requirement under this subsection. Any agreement reached by the parties through mediation on any issues shall be reduced to writing, signed by the parties and presented to the court for approval as a court order. When agreement through mediation is not reached on any issue, the court must determine that the parties made a good faith effort to mediate the issue before proceeding with a hearing. If the court finds that either party failed to make a good faith effort to mediate, the court may order the parties to submit to mediation, may dismiss the action or any part of the action, may render a decision or judgment by default, may assess attorney's fees and costs or may impose any other sanction that is appropriate in the circumstances. The court may also impose an appropriate sanction upon a party's failure without good cause to appear for mediation after receiving notice of the scheduled time for mediation.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective April 18, 1986.

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## CHAPTER 751

H.P. 1616 - L.D. 2287

AN ACT Relating to the Labeling of Milk.

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

Sec. 1. 7 MRSA §2902, first ¶ is amended to read:

No milk dealer shall sell milk or cream without first obtaining a license from the commissioner. No person shall produce grade A milk for sale without first obtaining a license from the commissioner to produce grade A milk, and no person shall pasteurize grade A milk for sale without first obtaining a license from the commissioner to pasteurize grade A milk.

Sec. 2. 7 MRSA §2902, 10th ¶ is repealed.

Sec. 3. 7 MRSA §2902, last ¶, as amended by PL 1977, c. 694, §138, is repealed.

Sec. 4. 7 MRSA §2908, first ¶, as repealed and replaced by PL 1977, c. 696, §99, is amended to read:

Any firm, person, corporation or society who shall produce grade A milk, or pasteurized grade A milk for sale in the State or who shall sell milk or cream in the State without the license or licenses provided in section 2902, or who shall violate any of the provisions of sections 2901 to 2904 and 3101 to 3103, or neglects, fails or refuses to comply with any of the provisions of those sections and the rules, regulations and standards of identity and quality issued thereunder, commits a civil violation for which the following forfeiture may be adjudged:

Effective July 16, 1986.

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## CHAPTER 752

H.P. 1687 - L.D. 2377

AN ACT to Permit Assessment of a  
Reimbursement Fee against Prisoners in  
County Jails to Help Defray the Costs  
of Incarceration and to Permit the  
State and Counties to Recover  
Prisoners' Medical Costs.

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