

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2010 to April 12, 2010

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 12, 2010

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

Augusta, Maine
2010

Sec. 1. 32 MRSA §1866-E, sub-§8 is enacted to read:

8. Removal of beverage. The department may remove from sale a beverage that is sold or distributed in the State by an initiator of deposit who is not in compliance with the reporting and payment requirements established in this section if the department is notified by the State Tax Assessor of that noncompliance. The department shall allow the sale of the beverage to resume upon notification by the State Tax Assessor that all delinquent reports have been submitted and all payments are current.

Sec. 2. 36 MRSA §191, sub-§2, ¶PP is enacted to read:

PP. The disclosure of registration, reporting and payment information to the Department of Agriculture, Food and Rural Resources necessary for the administration of Title 32, chapter 28.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 1, 2010.

CHAPTER 593

H.P. 1298 - L.D. 1814

**An Act To Implement
Recommendations Concerning
Domestic Violence and
Parental Rights and
Responsibilities**

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

Sec. 1. 19-A MRSA §1653, sub-§1, ¶C, as enacted by PL 2001, c. 329, §1, is amended to read:

C. The Legislature finds and declares that, except when a court determines that the best interest of a child would not be served, it is the public policy of this State to assure minor children of frequent and continuing contact with both parents after the parents have separated or dissolved their marriage and that it is in the public interest to encourage parents to share the rights and responsibilities of child rearing in order to effect this policy.

Sec. 2. 19-A MRSA §1653, sub-§3, ¶L, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

L. The existence of domestic abuse between the parents, in the past or currently, and how that abuse affects:

- (1) The child emotionally; ~~and~~

- (2) The safety of the child; and

(3) The other factors listed in this subsection, which must be considered in light of the presence of past or current domestic abuse;

Sec. 3. 19-A MRSA §1653, sub-§3, ¶Q, as amended by PL 2005, c. 567, §2, is further amended to read:

Q. The existence of a parent's conviction for a sex offense or a sexually violent offense as those terms are defined in Title 34-A, section 11203; ~~and~~

Sec. 4. 19-A MRSA §1653, sub-§3, ¶R, as enacted by PL 2005, c. 567, §3, is amended to read:

R. If there is a person residing with a parent, whether that person:

- (1) Has been convicted of a crime under Title 17-A, chapter 11 or 12 or a comparable crime in another jurisdiction;

- (2) Has been adjudicated of a juvenile offense that, if the person had been an adult at the time of the offense, would have been a violation of Title 17-A, chapter 11 or 12; or

- (3) Has been adjudicated in a proceeding, in which the person was a party, under Title 22, chapter 1071 as having committed a sexual offense; and

Sec. 5. 19-A MRSA §1653, sub-§3, ¶S is enacted to read:

S. Whether allocation of some or all parental rights and responsibilities would best support the child's safety and well-being.

See title page for effective date.

CHAPTER 594

H.P. 1316 - L.D. 1829

**An Act To Support the Dairy
Industry**

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

Sec. 1. PL 2009, c. 467, §10 is amended to read:

Sec. 10. Administrator authorized to make monthly adjustments during the period from July 1, 2010 to June 30, 2011. During the period from July 1, 2010 to June 30, 2011, the administrator of the Maine Milk Pool shall monitor milk price projections and each month calculate the amounts to be paid out under the dairy stabilization program for fiscal year 2010-11 based on these projections. The ad-