

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST SPECIAL SESSION
October 23, 2017 to November 6, 2017

SECOND REGULAR SESSION
January 3, 2018 to May 2, 2018

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 5, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 1, 2018

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

Augusta, Maine
2018

F. The motivation of the parties involved and their capacities to give the child love, affection and guidance;

G. The child's adjustment to the child's present home, school and community;

H. The capacity of the parent and grandparent to cooperate or to learn to cooperate in child care;

I. Methods of assisting cooperation and resolving disputes and each person's willingness to use those methods;

J. Any other factor having a reasonable bearing on the physical and psychological well-being of the child; and

K. The existence of a grandparent's conviction for a sex offense or a sexually violent offense as those terms are defined in Title 34-A, section 11203.

Sec. 5. 19-A MRSA §1804, first ¶, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

The court may refer the parties to mediation at any time after ~~the petition is filed~~ a court determination pursuant to section 1803, subsection 2, paragraph C that the grandparent has standing and may require that the parties have made a good faith effort to mediate the issue before holding 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, dismiss the action or any part of the action, render a decision or judgment by default, assess attorney's fees and costs or 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. 6. 19-A MRSA §1806 is enacted to read:

§1806. Other actions

Nothing in this chapter limits a grandparent's ability to file any action not governed by the provisions of this chapter with respect to a child, including but not limited to an action to establish de facto parentage of a child under section 1891, an action for guardianship of a child under Title 18-A, Article 5 and a child protection petition under Title 22, section 4032, subsection 1, paragraph C.

See title page for effective date.

**CHAPTER 329
H.P. 1166 - L.D. 1678**

**An Act To Amend the Laws
Affecting the Judicial Branch
Regarding Railroad Trespass
Civil Violations and Fines for
Civil Violations**

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

Sec. 1. 4 MRSA §171-A, sub-§2, as enacted by PL 1991, c. 733, §1, is amended to read:

2. Civil violations. When a complaint is made to the proper officer of the District Court charging a person with the commission of a civil violation other than a traffic infraction, the officer of the District Court shall cause to be served upon the person a Uniform Summons and Complaint or other process in such form and under such circumstances as the Supreme Judicial Court shall by rule provide. The clerk of each division may accept an admission to a civil violation upon payment of a fine and surcharge in accordance with a schedule of violations, fines and surcharges, within the limits prescribed by law, established by the Chief Judge, which the Chief Judge may amend.

Sec. 2. 23 MRSA §7007, sub-§3, ¶¶A to C, as amended by PL 2015, c. 204, §1, are further amended to read:

A. A person who violates subsection 1 commits a ~~civil violation~~ traffic infraction for which a fine of not less than \$50 and not more than \$100 may be adjudged.

B. A person who violates subsection 1 after having previously violated subsection 1 commits a ~~civil violation~~ traffic infraction for which a fine of not less than \$250 and not more than \$500 may be adjudged.

C. A person who violates subsection 1 after having previously violated subsection 1 2 times commits a ~~civil violation~~ traffic infraction for which a fine of not less than \$750 and not more than \$1,000 may be adjudged.

See title page for effective date.

**CHAPTER 330
H.P. 1167 - L.D. 1679**

**An Act Regarding the Registry
of Deeds in Oxford County**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until