

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

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

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**September 5, 1996 to September 7, 1996**

**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 1996 to March 27, 1997**

**FIRST SPECIAL SESSION**  
**March 27, 1997 to June 20, 1997**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 26, 1997**

**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 1997**

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

---

---

**J.S. McCarthy Company**  
**Augusta, Maine**  
**1997**

1997. That section of this Act that amends Title 19-A, section 354, subsection 2 takes effect October 1, 1997.

See title page for effective date, unless otherwise indicated.

---



---

## CHAPTER 135

H.P. 1055 - L.D. 1487

### An Act to Authorize Clerks to Sign Notices of Certain Court Actions

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

**Sec. 1. 4 MRSA §107**, as amended by PL 1995, c. 560, Pt. I, §4, is further amended by adding at the end a new paragraph to read:

The clerk of the Superior Court may sign notices to appear in court for hearings on nonpayment of fines, counsel fees or restitution.

**Sec. 2. 4 MRSA §159**, as amended by PL 1995, c. 560, Pt. I, §14, is further amended by adding at the end a new paragraph to read:

The clerk of the District Court may sign notices to appear in court for hearings on nonpayment of fines, counsel fees or restitution.

**Sec. 3. 17-A MRSA §1304, sub-§1**, as amended by PL 1987, c. 861, §15, is further amended to read:

1. When a convicted person sentenced to pay a fine defaults in the payment of the fine or of any installment, the court, upon the motion of the official to whom the money is payable, as provided in section 1303, or upon its own motion, may require that person to show cause why that person should not be committed to the custody of the sheriff for nonpayment and may issue a summons or a warrant of arrest for that person's appearance. The clerk of the court shall notify the person to appear in court.

Unless such person shows that the default was not attributable to a willful refusal to obey the order of the court or to a failure on that person's part to make a good faith effort to obtain the funds required for the payment, the court shall find that the default was unexcused and may commit that person to the custody of the sheriff until the fine or a specified part of the fine is paid. The length of incarceration for such unexcused nonpayment of the fine ~~shall must~~ be specified in the court's order and ~~shall may~~ not exceed one day for each \$5 of the fine or 6 months, whichever is the shorter. When a fine is imposed on an organization, it is the duty of the person or persons

authorized to make disbursements from the assets of the organization to pay it from such assets and failure so to do may subject every such person to court action pursuant to this section. A person committed for nonpayment of a fine ~~shall must~~ be given credit towards its payment for each day after ~~commitment~~ commitment that the person is in custody, at the rate specified in the court's order. The person ~~shall must~~ also be given credit for each day that the person has been detained as a result of an arrest warrant issued pursuant to this section.

See title page for effective date.

---



---

## CHAPTER 136

H.P. 283 - L.D. 347

### An Act to Require Overtime Pay for Employees of Large Agricultural Employers

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

**Sec. 1. 26 MRSA §664, sub-§3, ¶F**, as enacted by PL 1995, c. 305, §1, is amended to read:

F. The canning, processing, preserving, freezing, drying, marketing, storing, packing for shipment or distribution of:

- (1) Agricultural produce;
- (2) Meat and fish products; and
- (3) Perishable foods.

Individuals employed, directly or indirectly, for or at an egg processing facility that has over 300,000 laying birds must be paid overtime in accordance with this subsection.

See title page for effective date.

---



---

## CHAPTER 137

H.P. 810 - L.D. 1098

### An Act to Facilitate Implementation of an Automated Hunters' and Anglers' Data Base System for Hunting and Fishing Licenses and Registrations

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