

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1872

6
7 H.P. 1427

House of Representatives, January 10, 1984

8 Approved for introduction by the Legislative Council pursuant to Joint
9 Rule 26.

10 Reference to the Committee on Judiciary is suggested and ordered
printed.

EDWIN H. PERT, Clerk

Presented by Representative Gauvreau of Lewiston.

11 Cosponsors: Senator Trafton of Androscoggin, Representative Benoit of
So. Portland and Representative Mayo of Thomaston.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FOUR
16

17 AN ACT to Permit Public Service
18 in Lieu of Fines for Indigent Offenders
19 Under the Drunk Driving Law.
20

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

23 Sec. 1. 29 MRSA §1312-B, sub-§2, ¶A, as enacted
24 by PL 1981, c. 468, §10, is amended to read:

25 A. The fine for any conviction shall not be less
26 than \$350, which fine shall not be suspended.
27 The court shall, upon a finding that the defend-
28 ant is indigent, order that the fine be satisfied
29 by public service work upon such terms and condi-
30 tions as the court deems appropriate;

31 Sec. 2. 29 MRSA §1312-C, sub-§3, as enacted by
32 PL 1981, c. 468, §11, is amended to read:

1 3. Fine. The traffic infraction of operating un-
2 der the influence of intoxicating liquor or drugs or
3 operating with an excessive blood-alcohol level is a
4 violation for which a fine of not less than \$250 nor
5 more than \$500 may be adjudged. The minimum fine
6 shall not be suspended. The court shall, upon a find-
7 ing that the defendant is indigent, order that the
8 fine be satisfied by public service work upon such
9 terms and conditions as the court deems appropriate.

10 STATEMENT OF FACT

11 Some judges do not believe they currently have
12 authority to order public service in lieu of fines
13 for indigents in OUI cases. To fine an indigent and
14 then have the judicial system involved in trying to
15 collect the fine the indigent cannot pay is a waste
16 of resources. This bill permits judges to order
17 those individuals, found by the court to be indigent,
18 to satisfy any fine imposed under the drunk driving
19 laws by doing public service work.

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