

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 28, 2011

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

Augusta, Maine
2011

notification of aerial applications of pesticides within 1,000 feet of the sensitive area.

For purposes of this section, "sensitive area" has the same meaning as in the board's Rule Chapter 10. Notwithstanding the Maine Revised Statutes, Title 7, section 610, subsection 6, paragraph B, the amendment to Rule Chapter 28 under this section is routine technical rulemaking as defined in Title 5, chapter 375, subchapter 2-A and must be adopted and in effect no later than January 1, 2012.

See title page for effective date.

CHAPTER 333

H.P. 645 - L.D. 878

**An Act To Provide a
Temporary License To
Operate a Public Dance
Establishment**

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

Sec. 1. 8 MRSA §161, sub-§7 is enacted to read:

7. Temporary license. Following the transfer of ownership of a building used for public dances licensed under this section, a new owner that applies for a new dancing license for that building may simultaneously apply to the Commissioner of Public Safety for a temporary dancing license. The commissioner may issue a temporary dancing license, which is valid for a period of 60 days or until a decision is made on the application submitted pursuant to subsection 3, whichever is shorter. The fee for a temporary dancing license issued pursuant to this subsection is \$25.

See title page for effective date.

CHAPTER 334

H.P. 686 - L.D. 926

**An Act To Increase the Credit
Toward Payment of Fines
Given for Jail Time**

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

Sec. 1. 17-A MRSA §1304, sub-§3, ¶A, as amended by PL 2009, c. 608, §11, is further amended to read:

A. Unless the offender shows by a preponderance of the evidence that the default was not attribut-

able to an intentional or knowing refusal to obey the court's order or to a failure on the offender'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:

(1) Commit the offender to the custody of the sheriff until all or a specified part of the fine is paid. The length of confinement in a county jail for unexcused default must be specified in the court's order and may not exceed one day for every ~~\$5~~ \$100 of unpaid fine or 6 months, whichever is shorter. An offender committed for nonpayment of a fine is given credit toward the payment of the fine for each day of confinement that the offender is in custody, at the rate specified in the court's order. The offender is also given credit for each day that the offender is detained as the result of an arrest warrant issued pursuant to this section. An offender is responsible for paying any fine remaining after receiving credit for confinement and detention. A default on the remaining fine is also governed by this section; or

(2) If the unexcused default relates to a fine imposed for a Class D or Class E crime, as authorized by chapter 53, order the offender to perform community service work, as authorized in chapter 54-C, until all or a specified part of the fine is paid. The number of hours of community service work must be specified in the court's order and may not exceed 8 hours for every \$25 of unpaid fine or one hundred 8-hour days, whichever is shorter. An offender ordered to perform community service work pursuant to this subparagraph is given credit toward the payment of the fine for each 8-hour day of community service work performed at the rate specified in the court's order. The offender is also given credit toward the payment of the fine for each day that the offender is detained as a result of an arrest warrant issued pursuant to this section at a rate specified in the court's order that is ~~not less than \$5~~ up to \$100 of unpaid fine per day of confinement. An offender is responsible for paying any fine remaining after receiving credit for any detention and for community service work performed. A default on the remaining fine is also governed by this section.

See title page for effective date.
