

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1510

H. P. 1256

House of Representatives, March 29, 1979

On Motion of Mr. Hobbins of Saco, referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Tarbell of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

**AN ACT to Provide for Ancillary Complaints in Second Offense Operating Under
the Influence Cases.**

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

15 MRSA § 757 is amended by adding at the end the following new paragraph:

An ancillary complaint, information or indictment may be sworn to and filed with the court at any time prior to the imposition of sentence on the principal offense. If a case has been transferred to the Superior Court from the District Court prior to the filing of an ancillary complaint in the District Court, an ancillary complaint may be sworn to and filed in the Superior Court with leave of court at any time prior to the imposition of sentence.

STATEMENT OF FACT

This bill is designed to facilitate the filing of ancillary charging documents in criminal cases, such as operating under the influence of intoxicating liquor and theft crimes, which involve increased penalties for 2nd or subsequent offenses.