

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

cuting officer and the accused; but no member of a grand jury finding an indictment shall sit on the trial thereof, if challenged therefor by the accused.'

Effective August 20, 1955

Chapter 120

AN ACT Relating to Abstracts of Criminal Records for State Bureau of Identification.

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

R. S., c. 15, § 19-A, additional. Chapter 15 of the revised statutes is hereby amended by adding thereto a new section to be numbered 19-A to read as follows:

'Sec. 19-A. Courts to submit criminal records. Every court and trial justice in every case wherein a person is convicted of the violation of any criminal statute shall forthwith transmit to the State Bureau of Identification an abstract, duly certified, setting forth therein the names of the parties, the nature of the offense, the date of hearing, the plea, the judgment and the result. For this purpose the State Bureau of Identification shall furnish to said courts proper abstract forms.'

Effective August 20, 1955

Chapter 121

AN ACT Relating to Jurisdiction of State Courts after Federal Court Disposed of Criminal Case.

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

R. S., c. 148, § 34, additional. Chapter 148 of the revised statutes is hereby amended by adding thereto a new section to be numbered 34, to read as follows:

'State Jurisdiction After Federal Court Disposition.

Sec. 34. Court action after Federal Court has acted. Whenever any Federal Court finds that a prisoner in any penal institution in this State has been deprived of any of the rights guaranteed to him by the Constitution of the United States before, at or after his trial, so that the judgment or sentence or both are erroneous and said court holds the case on its docket pending corrective action by the proper state official, the Attorney General may act as follows. He may file a petition in the Superior Court of the county where the prisoner was tried and convicted in term time or with any justice of said court in vacation, setting forth the petition of the prisoner to the Federal Court and the decision of that court, and the Superior Court of conviction or any justice thereof in vacation shall then recall the judgment and sentence held erroneous and order it stricken from the records of said court and shall set the prisoner down for trial if in term time or bind him over to the next criminal term in said county if in vacation, after setting his bail. If the sentence only is erroneous, the Superior Court of the county of conviction in term time or any justice thereof in vacation, on presentation of the Attorney General's petition as aforesaid, shall recall the erroneous sentence

and order it stricken from the records and shall in term time or in vacation sentence the prisoner anew in accordance with the indictment against said prisoner.'

Effective August 20, 1955

Chapter 122

AN ACT Relating to Registration of Architects.

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

Sec. 1. R. S., c. 81, § 1, amended. The 2nd paragraph of section 1 of chapter 81 of the revised statutes is hereby amended to read as follows:

'The Board shall be composed of ~~3~~ 5 practicing architects, or ~~2~~ 4 practicing architects and 1 professor of architecture, who shall be appointed by the Governor with the advice and consent of the Council, to serve for 3 years and until their successors are duly appointed and qualified. Each member of the Board shall receive a certificate of his appointment from the Governor ~~and shall serve without pay.~~'

Sec. 2. R. S., c. 81, § 3, amended. Section 3 of chapter 81 of the revised statutes is hereby amended to read as follows:

'**Sec. 3. Organization; meetings; compensation; quorum; seal.** The Board shall hold at least 2 meetings each year for the purpose of examining candidates for registration. Special meetings shall be held at such times as the regularly adopted rules and regulations of the board shall provide. The members of the Board shall each receive as compensation for their services \$10 a day for the time actually spent and their necessary expenses incurred in the discharge of their duties, to be certified by the secretary of the Board.

~~Two~~ Three members of the Board shall constitute a quorum but no certificate of registration shall be issued or revoked ~~except on an affirmative vote of at least 3 members of the Board action may be taken without at least 2 votes in accord.~~ The Board shall annually elect a chairman and a secretary. The secretary may or may not be a member of the Board and he shall receive an annual salary to be fixed by the Board not to exceed \$200, which shall be in lieu of a per diem compensation. The secretary shall also be paid his necessary expenses incurred in the discharge of his official duties, including clerical and stenographical assistance, printing and postage. Such salary and allowance for expenses shall be certified by the chairman of the Board. The Board shall adopt and have an official seal.'

Effective August 20, 1955

Chapter 123

AN ACT Permitting Municipalities to Raise Money for Christmas Decorations.

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

R. S., c. 91, § 102, amended. The 1st sentence of section 102 of chapter 91 of the revised statutes is hereby amended to read as follows: