

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 scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 27 of chapter 10 of the Revised Statutes of 1954.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1955

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

ation or by trustees may levy and assess a tax and make appropriation therefrom annually to procure from such library the free use of its books for all the inhabitants of the town or city, under such restrictions and regulations as shall insure the safety and good usage of the books; and such library shall then be considered a free public library within the meaning of this chapter and said town or city shall be entitled to the benefits of the preceding section ~~provided that any books and documents purchased with said stipend, and all books and documents donated by the state, shall be and remain the property of said municipality.~~

Sec. 15. R. S., c. 42, § 35, amended. Section 35 of chapter 42 of the revised statutes is hereby amended to read as follows:

'Sec. 35. Custody of public documents; list of books purchased with state stipend. ~~In every town and city where a free public library exists, the librarian of the state library shall transmit to such library all laws, Maine reports and other documents which the town or city is by law entitled to receive from the state, except as provided in sections 20 and 25, and the same shall be constantly kept in such library for the use and benefit of all the citizens; and~~ The officers of said every free public library, on or before the 1st day of May of each year, shall send to the Librarian of the State Library a report containing a list of all books and documents purchased with the state stipend for the preceding year. The aid from the State, provided by section 33, shall be withheld from any city, town or village corporation until the report herein required to be made shall have been received by the Librarian of the State Library; and the same shall also be withheld unless said report shall show that the laws and Maine reports and other documents furnished by the State are kept constantly in said library ~~as required by this section~~ for the free use and benefit of all the citizens.'

Sec. 16. P. L., 1953, cc. 425, 427, repealed. Chapters 425 and 427 of the public laws of 1953 are hereby repealed.

Effective August 20, 1955

Chapter 186

AN ACT to Extend the Power to Serve to Public Utilities Organized by Special Act of the Legislature.

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

R. S., c. 44, § 58, amended. Section 58 of chapter 44 of the revised statutes is hereby amended by adding at the end thereof the following paragraph:

'The Commission may authorize any public utility organized by special act of the Legislature, to furnish or extend its service in, to or through any city or town notwithstanding any territorial limitations, express or implied, in the special act of the Legislature by which it was organized, or in any special act of the Legislature under which it is enfranchised, and the powers and limitations of the Commission, hereby made applicable hereunder, shall be those applicable by law in like cases concerning public utilities organized under the provisions of sections 8 to 15, inclusive, of chapter 53. Any public utility organized by special act of the Legislature which is authorized hereunder in respect of service in, to

or through any city or town not named in a special act of the Legislature as among the cities or towns to be served by it, shall, within 20 days after final authorization of the Commission as aforesaid, file with the Secretary of State a certificate exhibiting such authorization of the Commission, and thereupon the power to serve as therein provided shall take and be of effect. On filing such certificate there shall be paid to the Secretary of State for the use of the State the sum of \$20. Nothing in this section shall be construed to apply to common carriers by railroad which are subject to the jurisdiction of the Interstate Commerce Commission.'

Effective August 20, 1955

Chapter 187

AN ACT Relating to Waiver of Indictment.

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

R. S., c. 147, § 33, additional. Chapter 147 of the revised statutes is hereby amended by adding thereto a new section to be numbered 33, to read as follows:

'Waiver of Indictment.

Sec. 33. Waiver of indictment; petition; information; notification of rights; additional charges. Any person charged with an offense not punishable by life imprisonment, who has been bound over to await the action of a grand jury in any Superior Court, and who desires to waive indictment and have a prompt arraignment upon waiver of said indictment, may file a petition in writing with the clerk of said court requesting prompt arraignment by information.

After the filing of such petition, and after the accused in open court, or before any Justice of the Superior Court in vacation, has been advised of the nature of the offense and of his rights, said accused may waive in open court prosecution by indictment, which waiver shall be recorded. Thereupon the county attorney may proceed against the accused person by information.

The information shall be a plain, concise and definite written statement of the essential facts constituting the offense charged. It shall be signed by the county attorney, and in such cases the Superior Court, or any Justice of the Superior Court in vacation, shall have jurisdiction in term time or in vacation as if an indictment had been found, and upon plea of guilty shall thereupon impose sentence, and upon entry of any other plea shall continue the matter to the next term at which criminal trials are held.

The accused person may then be arraigned upon said information at such time as the court, or any Justice of the Superior Court in vacation, may designate, whether in term time or vacation.

The court which binds over an accused person will notify him of his right to apply for waiver of indictment and prompt arraignment as aforesaid.

If the county attorney desires to charge the accused person hereunder with an offense or offenses not punishable by life imprisonment, and not contained in the complaint upon which such accused person has been so bound over, he may, before consenting to proceedings by information, prepare an information or infor-