

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundredth Legislature

1961

Chapter 266

AN ACT Increasing Fee of Physicians in Commitment Proceedings of Insane Criminals.

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

R. S., c. 27, § 126, amended. The first sentence of section 126 of chapter 27 of the Revised Statutes is amended to read as follows:

'The fee of each physician for such examination and certificate and testifying before said judge shall be ~~§~~ \$15.'

Effective September 16, 1961

Chapter 267

AN ACT Relating to Larceny by Trustee in Trust Receipt Transactions.

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

R. S., c. 132, §§ 9-A and 9-B, additional. Chapter 132 of the Revised Statutes is amended by adding 2 new sections, to read as follows:

'Sec. 9-A. Larceny by trustee in trust receipt transactions. Any trustee, as defined under chapter 189, who fraudulently appropriates to his own use any money, goods or documents received by him in connection with a trust receipt transaction, or refuses or neglects to pay over and deliver the same to the party entitled to receive it, for 30 days after written demand upon him therefor, is guilty of larceny and shall be punished accordingly.

Sec. 9-B. Corporations and partnerships as trustee in trust receipt transactions. In any case in which the trustee in a trust receipt transaction would be guilty of larceny under section 9-A, and the trustee is a corporation or partnership, any officer or director, partner or agent of such a trustee who willfully and wrongfully sells or disposes of or causes the trustee to sell or dispose of the goods, documents or instruments involved in a trust receipt transaction in which the trustee had no liberty of sale or other disposition, or who willfully or wrongfully diverts or causes the trustee to fail to account to the entruster for the proceeds of sale or other disposition or to pay to the entruster the amount due to the entruster under the trust receipt after such sale or other disposition where the trustee had liberty of sale or other disposition, shall be guilty of larceny and shall be punished as herein provided.'

Effective September 16, 1961

Chapter 268

AN ACT Relating to Allegation of Prior Conviction in Criminal Cases.

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

Sec. 1. R. S., c. 149, § 1-A, additional. Chapter 149 of the Revised Statutes is amended by adding a new section 1-A, to read as follows:

'Sec. 1-A. Allegation of prior convictions. In all cases where prior conviction for an identical offense or any other offense affects the sentence which the court may impose in a current principal offense, such prior conviction shall not be alleged in the complaint, information or indictment alleging such principal offense, but shall be alleged in a separate complaint, information or indictment, ancillary to the principal offense, upon which the respondent shall not be arraigned until such time as the respondent has been convicted of the principal offense.'

Sec. 2. R. S., c. 149, § 3, amended. Section 3 of chapter 149 of the Revised Statutes is amended to read as follows:

'Sec. 3. Punishment when convict previously sentenced to any state prison. When a person is convicted of a crime punishable by imprisonment in the State Prison, and it is alleged ~~in the indictment~~ and proved ~~or admitted on~~ in a trial, or admitted in a trial, that he had been before convicted and sentenced to any state prison by any court of this State, or of any other state, or of the United States, ~~whether unless~~ pardoned therefor ~~or not~~, he may be punished by imprisonment in the State Prison for any term of years. Allegation of such prior conviction and sentence shall be by indictment separately found, and upon which the defendant shall not be arraigned until after such time as he shall have been convicted upon the current principal offense.'

Effective September 16, 1961

Chapter 269

AN ACT Authorizing State Park Commission Fees for Services and Accommodations.

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

R. S., c. 36, § 34, sub-§ III-A, additional. Section 34 of chapter 36 of the Revised Statutes, as amended, is further amended by adding after subsection III, a new subsection III-A, as follows:

'III-A. Fees for services and accommodations. With the consent of the Governor and Council, the commission may:

- A. Furnish accommodations and render services to the public on state parks and parks under state control; and
- B. Charge reasonable fees for such services and accommodations.

All fees received under this subsection shall accrue to the General Fund of the State.'

Effective September 16, 1961