

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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OF THE
STATE OF MAINE

As Passed by the One Hundredth Legislature

1961

as amended, is further amended by inserting after the 12th paragraph, a new paragraph, as follows:

‘“Mother” shall mean mother, or step mother.’

Sec. 3. R. S., c. 63-A, § 1, amended. Section 1 of chapter 63-A of the Revised Statutes, as enacted by section 1 of chapter 417 of the public laws of 1955 and as amended, is further amended by inserting after the 13th paragraph, a new paragraph, as follows:

‘“Parent” shall mean mother or father, step mother, step father.’

Effective September 16, 1961

Chapter 280

AN ACT Relating to Immunity from Prosecution for Giving Testimony.

Emergency preamble. Whereas, there is presently pending a civil anti-trust action for restraint of trade brought by the State of Maine in the United States District Court for the District of Maine; and

Whereas, many witnesses required for the proof of this case are entitled to federal immunity from criminal prosecution; and

Whereas, said witnesses should be given a like immunity from criminal prosecution under the laws of this State; and

Whereas, the granting of such immunity may assist the State of Maine in the presentation of its case; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

R. S., c. 137, § 44-A, additional. Chapter 137 of the Revised Statutes is amended by adding a new section to be numbered 44-A, to read as follows:

‘Sec. 44-A. Immunity from prosecution. If any person shall give testimony or evidence required of him in any court of this State or any federal court, with respect to contracts, combinations or conspiracies in restraint of trade or commerce or to monopolize or attempt to monopolize any part of the trade or commerce of this State, he shall not thereafter be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter or thing concerning such contracts, combinations or conspiracies about which he may testify or produce evidence, and no testimony or evidence produced shall be received against him upon any criminal action, investigation or proceeding instituted under the laws of this State. No person so testifying or producing evidence shall be exempt from prosecution or punishment for perjury committed in so testifying.’

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective May 10, 1961

Chapter 281

AN ACT Revising Fee Schedules of Court Reporters.

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

Sec. 1. R. S., c. 113, § 188, amended. The first paragraph of section 188 of chapter 113 of the Revised Statutes, as last amended by chapter 368 of the public laws of 1959, is further amended to read as follows:

'The Chief Justice of the Supreme Judicial Court may appoint not more than 11 Official Court Reporters to serve for a term of 7 years, who shall report the proceedings in the Supreme Judicial Court and in the Superior Court and who shall be officials of the court to which they may from time to time be assigned by the Chief Justice, and be sworn to the faithful discharge of their duties, and each of whom shall receive from the State a salary of \$7,500 per year. They shall take full notes of all oral testimony and other proceedings in the trial of ~~causes, either at law or in equity~~ civil actions, including the charge of the justice in all trials before a jury and all comments and rulings of said justice in the presence of the jury during the progress of the trial, as well as all statements and arguments of counsel addressed to the court, and during the trial furnish for the use of the court or either of the parties a transcript of so much of their notes as the presiding justice may direct. They shall ~~also~~ furnish a transcript of so much of the evidence and other proceedings taken by them as either party to the trial requires, on payment therefor by such party at the rate of ~~20¢~~ 26¢ for every 100 words. One of said Official Court Reporters designated for the purpose shall perform such clerical services as may be required of him by the Chief Justice who may allow him reasonable compensation for such clerical services for which he shall be reimbursed.'

Sec. 2. R. S., c. 148, § 31, amended. Section 31 of chapter 148 of the Revised Statutes is amended to read as follows:

'**Sec. 31. Copy of proceedings in murder cases filed with clerk of court and in office of Secretary of State; expenses.** Whenever any person is convicted of murder, a copy of the indictment, plea, evidence and charge of the presiding justice, certified by the Official Court Reporter, shall be filed with the clerk of the court where such trial is held, and the expense thereof shall be paid by the county. ~~If such Court Reporter is paid an annual salary, the making and filing of said copy shall be without extra compensation, otherwise the expense thereof shall be paid by the county; but this section shall not apply to cases where a motion for a new trial is filed and granted, as to the evidence and charge in any trial but the last.~~ A copy of the indictment, plea, evidence and charge of the presiding justice, certified by the Official Court Reporter, shall ~~also~~ be filed in the office of the Secretary of State, so that it may be used in any pardon hearing before the Governor and Council, and the expense thereof shall be paid by the State. The State shall pay the expense of having the evidence and charge transcribed by the Official Court Reporter in any murder cases heretofore tried, where a pardon is sought by one serving a life sentence in the State