

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fourth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1969

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Third Legislature
AT THE
SPECIAL SESSIONS

October 2-3, 1967
January 9-26, 1968
September 18, 1968

The license or right to operate motor vehicles of any person convicted of violating this section shall be suspended for 3 months immediately by the Secretary of State upon receipt of an attested copy of the court records, without further hearing. Upon a 2nd or subsequent conviction of a violation of this section, the person's license or right to operate a motor vehicle shall be suspended in the manner provided for one year.

Effective April 26, 1968

Chapter 547

AN ACT Relating to Appeals on Questions of Law in Criminal Cases.

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

Sec. 1. R. S., T. 15, § 2115-A, additional. Title 15 of the Revised Statutes is amended by adding a new section 2115-A, to read as follows:

§ 2115-A. Appeals on questions of law

1. Appeals prior to trial. An appeal may be taken by the State in criminal cases on questions of law, with the written approval of the Attorney General, from the District Court and from the Superior Court to the law court from a decision, order or judgment of the court suppressing evidence prior to trial, allowing a motion to dismiss an indictment, complaint or information, quashing an arrest or search warrant or suppressing a confession or admission. Such appeal shall be taken within 10 days after such order, decision or judgment has been entered, and in any case before the defendant has been placed in jeopardy under established rules of law. Any appeal which may be taken under this section shall be diligently prosecuted.

2. Appeals after trial. An appeal may be taken by the State in criminal cases, with the written approval of the Attorney General, from the Superior Court to the law court from any decision, ruling or order of the court when the defendant appeals from the judgment.

3. Manner. An appeal by the defendant or by the State, taken pursuant to this section, shall be taken in the manner and upon such conditions as the Supreme Judicial Court may by rule provide.

4. Fees and costs. The Supreme Judicial Court shall allow reasonable counsel fees, which in any case shall not be less than minimum bar fees prevailing for similar services in the county in which the criminal case was heard, and costs for the defense of appeals under this section.

Sec. 2. Appropriation. There is appropriated from the General Fund the sum of \$2,000 for the fiscal year ending June 30, 1968 and the sum of \$5,000 for the fiscal year ending June 30, 1969 to the Supreme Judicial Court, to be expended in carrying out the objectives of this Act. The breakdown shall be as follows:

	1967-68	1968-69
SUPREME JUDICIAL COURT		
All Other	\$2,000	\$5,000

Sec. 3. Effective date. This Act shall apply to any case pending upon the effective date of this Act.

Effective April 26, 1968

Chapter 548

AN ACT Relating to Insurance of Mortgages Under the Maine Industrial Building Act.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, shipbuilding is one of Maine's most vital and important industries; and

Whereas, it is essential that this industry be encouraged and supported; and

Whereas, there is keen competition within this area; and

Whereas, it is deemed in the public interest of the people of the State of Maine that such industry be able to successfully compete in this field; and

Whereas, the following legislation is vitally necessary to enable capital expansion necessary for Maine industry to compete nationally; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution 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:

Sec. 1. R. S., T. 10, § 703, sub-§ 3, ¶ A, amended. Paragraph A of subsection 3 of section 703 of Title 10 of the Revised Statutes, as last repealed and replaced by section 2 of chapter 525 of the public laws of 1967, is amended to read as follows:

A. Any lands, buildings, real estate improvements or machinery and equipment, with auxiliary real and personal property, used by an industrial, manufacturing, fishing or agricultural enterprise for the manufacturing, processing, assembling or preparing for market of raw materials or other products, **including, but not limited to, an industry constructing sea-going ships and vessels,** or for the purposes of research and development for such enterprises;