

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## One Hundred and First Legislature

OF THE

# STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1954, Chapter 10, Section 27, Subsection VI.

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The Knowlton and McLeary Company  
Farmington, Maine  
1963

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

As Passed by the One Hundred and First Legislature

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carry out the purposes of sections 66-A to 66-S and shall prepare all necessary forms and rules governing examinations and hearings as may be necessary.

**Sec. 66-Q. Enforcement.** If any person violates sections 66-A to 66-S, the director may, in the name of the State, through the Attorney General apply, in any court of competent jurisdiction, for an order enjoining such violation or for an order enforcing compliance with sections 66-A to 66-S. Upon filing of a verified petition in such court, the court, if satisfied by affidavit that such person has violated sections 66-A to 66-S, may issue a temporary injunction, without notice or bond, enjoining such civil actions. If it is established that such person has violated or is violating sections 66-A to 66-S, the court may enter a decree perpetually enjoining such violation or enforcing compliance with sections 66-A to 66-S. In case of violation of any order or decree issued under this section, the court may summarily try and punish the offender for contempt of court. Proceedings under this section shall be in addition to, and not in lieu of, all other remedies and penalties provided by sections 66-A to 66-S.

**Sec. 66-R. Penalties.** Any person violating sections 66-A to 66-S shall be punished by a fine of not more than \$200, or by imprisonment for not more than 2 months, or by both.

**Sec. 66-S. Fees.** A \$5 fee shall accompany each application for examination and shall not be returnable. When an applicant is notified that he is eligible for a license following examination, he shall remit an additional \$10 to cover total license fee of \$15 before a license is issued. The following fees shall be charged:

- I. Original license. For an original license to an individual, \$15.
- II. Annual renewal license. For an annual renewal license, \$5.
- III. Replacement. Replacement of lost license, \$1.

Fees collected shall be credited to the board and may be expended by the board for any expense incurred for examining, licensing and carrying out the purposes of sections 66-A to 66-S.

**Sec. 2.** R. S., c. 36, §§ 66 and 67, repealed. Sections 66 and 67 of chapter 36 of the Revised Statutes, as repealed and replaced by sections 1 and 2 of chapter 169 of the public laws of 1957 and as amended by sections 1, 2 and 3 of chapter 336 of the public laws of 1961, are repealed.

Effective September 21, 1963

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## Chapter 369

AN ACT Relating to the Admission of Attorneys to the Bar of the State of Maine.

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

**Sec. 1.** R. S., c. 105, § 1, amended. The 3rd sentence of section 1 of chapter 105 of the Revised Statutes is amended to read as follows:

'Such board shall hold at least 2 sessions annually at such times and places in the State as the Supreme Judicial Court shall direct, for the purpose of examining all applicants for admission to the bar, as to their legal learning and general qualifications to practice in the several courts of the State as attorneys and counselors at law and solicitors and counselors in chancery ~~and, upon~~. Upon such examination being had, the board shall issue ~~to such applicants as shall pass the required examination~~ a certificate of qualification stating the standing of the applicants and recommending their admission to the bar to each applicant who shall pass the required examinations and satisfy all other requirements of this chapter a certificate of qualification stating the standing of the applicant and recommending his admission to the bar.'

**Sec. 2. R. S., c. 105, § 4, amended.** The first sentence of section 4 of chapter 105 of the Revised Statutes is amended to read as follows:

'Each applicant, ~~unless heretofore qualified~~, before taking examination for admission to the bar of this State shall produce to said board satisfactory evidence of good moral character and of having received a preliminary education sufficient to entitle him to admission as a member in good standing of the 3rd year class of Bates College, Bowdoin College, Colby College or the University of Maine, or any other college or university approved by said board, as a candidate for the degree of Bachelor of Arts, Science, Education or Business Administration.'

**Sec. 3. R. S., c. 105, § 4, amended.** The last paragraph of section 4 of chapter 105 of the Revised Statutes is amended to read as follows:

'In addition to the foregoing requirements, each applicant shall produce to the said board satisfactory evidence ~~of having pursued the study of law in the office of some attorney or in some law school approved by said board for at least 3 years prior to examination or of having graduated from a law school approved by said board and that he has been a bona fide resident of the State for the 6 months last past~~ that he has been a bona fide resident of the State for 6 months prior to the examination which he seeks to take and that he has graduated from a law school approved by said board, provided that any person otherwise qualified may qualify to take the bar examinations upon proof that he has studied law in an office of some attorney in the State of Maine for 3 years prior to September 1, 1963, or that he has studied law for a continuous period of at least 6 months in such law office prior to September 1, 1963, and in an approved law school for a combined period of 3 years or he has successfully completed 2/3 of the requirement for graduation from a law school approved by said board, and thereafter has pursued the study of law in the office of some attorney within the State of Maine for at least one year. When an applicant shall have satisfied said board that all the foregoing requirements have been fulfilled, said applicant shall pay a fee to be fixed by said board of not more than \$35 and shall then be required to submit to a written examination which shall be prepared by said board, and ~~also~~ an oral examination by said board, if deemed necessary ~~and shall be required to answer correctly a minimum of 70% of the questions asked to entitle said applicant to the certificate of qualification mentioned in section 1.~~ Any applicant who receives a grade of 70% or better as an average of all of the examinations given and who has satisfied all of the re-

quirements and qualifications set forth in this chapter shall be entitled to the certificate of qualification mentioned in section 1. ~~The board shall, however, have power to establish such higher grades of standing as to them may seem proper.~~

**Sec. 4.** R. S., c. 105, § 5, repealed. Section 5 of chapter 105 of the Revised Statutes is repealed.

**Sec. 5. Limitation.** If any person notifies the secretary of the Board of Bar Examiners in writing within 6 months of the effective date of this act that he intends to rely upon the Revised Statutes, chapter 105, section 5 which is repealed by this act, he may rely on those provisions.

Effective September 21, 1963

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## Chapter 370

AN ACT Relating to Operating Business on Sunday and Certain Holidays.

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

**Sec. 1.** R. S., c. 134, § 38, repealed and replaced. Section 38 of chapter 134 of the Revised Statutes, as repealed and replaced by section 1 of chapter 362 of the public laws of 1961, is repealed and the following enacted in place thereof:

‘Sec. 38. Operating business on the Lord’s Day and certain holidays. No person, firm or corporation shall, on the Lord’s Day, Memorial Day, July 4th, Labor Day, November 11th, Christmas Day and Thanksgiving Day as proclaimed by the Governor, keep open a place of business to the public except for works of necessity, emergency or charity.

This section shall not apply to: the operation or maintenance of common, contract and private carriers; taxi cabs; airplanes; newspapers; radio and television stations; hotels, motels, rooming houses, tourist and trailer camps; restaurants; garages and motor vehicle service stations; retail monument dealers; automatic laundries; drug stores; greenhouses; seasonal stands engaged in sale of farm produce, dairy products, sea food or Christmas trees; public utilities; industries normally kept in continuous operation, including but not limited to pulp and paper plants and textile plants; processing plants handling agricultural produce or products of the sea; ship chandleries; marinas; establishments primarily selling boats, boating equipment, sporting equipment, souvenirs and novelties; motion picture theatres; sports and athletic events; musical concerts; religious, educational, scientific or philosophical lectures; scenic, historic, recreational and amusement facilities; real estate brokers and real estate salesmen; provided that this section shall not exempt the businesses or facilities specified in sections 39, 40 and 41 from closing in any municipality until the requirements of those sections have been met; stores wherein no more than 5 persons, including the proprietor, are employed in the usual and regular conduct of business; stores which have no more than 5,000 square feet of interior customer selling space, excluding back room storage, office and processing space.