

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION
(EMERGENCY)

ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1721

S. P. 683

In Senate, January 17, 1966

The Committee on Judiciary suggested.

EDWIN H. PERT, Secretary

Presented by Senator Violette of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SIX

AN ACT Relating to Challenges of Jurors in Criminal Cases.

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

Whereas, the present law relating to challenges of jurors is impeding the trial of criminal cases; and

Whereas, the following legislation is vitally necessary to protect the rights of those accused of crimes as well as those of the general public; 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., T. 15, § 1258, amended. The first paragraph of section 1258 of Title 15 of the Revised Statutes, as repealed and replaced by section 47 of chapter 356 of the public laws of 1965, is amended to read as follows:

‘When a person charged with a criminal offense, who has not waived his right to trial by jury, is put upon his trial, the clerk, under the direction of the court, shall place the names of all the traverse jurors summoned and in attendance in a box upon separate tickets, and the names, after being mixed, shall be drawn from the box by the clerk, one at a time ~~for the purpose of constituting a trial jury. No peremptory challenges for cause shall be exercised~~

~~until 12 names have been drawn.~~ The Supreme Judicial Court shall by rule provide the manner of exercising all challenges, and the number and order of peremptory challenges. ~~When a juror has been challenged and excused another name shall be drawn to replace said juror, and so on until the regular panel is completed.'~~

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