

# MAINE STATE LEGISLATURE

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1  
R.S.

L.D. 441

DATE: 3-25-99

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JUDICIARY

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
119TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 325, L.D. 441, Bill, "An Act to Exempt Election Officials and Workers from Serving on Juries One Month Prior to an Election"

Amend the bill by striking out the title and substituting the following:

'An Act to Excuse Elections Staff from Jury Duty When Needed to Perform Election Functions'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 14 MRSA §1213, as repealed and replaced by PL 1981, c. 705, Pt. G, §6, is repealed and the following enacted in its place:

§1213. Excuses from jury service

1. Determination. Upon request of a prospective juror, the presiding justice or the clerk of court acting under the supervision of the presiding justice shall determine whether the prospective juror is excused from jury service. The determination must be made on the basis of information provided on the juror qualification form, supplemented by other competent evidence when considered necessary to the determination.

2. Basis for excuse. A qualified prospective juror may be excused from jury service only upon a showing of undue hardship, extreme inconvenience, public necessity or inability to render satisfactory jury service because of physical or mental disability.

COMMITTEE AMENDMENT

R.S.

COMMITTEE AMENDMENT "A" to H.P. 325, L.D. 441

2 A. A person claiming to be excused on the grounds of  
4 disability may be required to submit a physician's  
6 certificate or accredited Christian Science practitioner's  
certificate. The certifying physician or Christian Science  
practitioner is subject to inquiry by the court at its  
discretion.

8 B. Municipal election officials, as defined in Title 21-A,  
10 section 1, subsection 14, are excused from serving on a jury  
12 on the day of an election. State election officials and  
14 municipal clerks and registrars and their employees are  
excused from serving on a jury for 31 days prior to an  
election.

16 3. Extent of excuse; record. Depending upon the  
18 circumstances, a juror may be finally excused from jury service,  
20 be required to serve at a later specific time or be required to  
22 serve for a period of time less than the usual 15 court days.  
The clerk shall enter the determination regarding the requested  
excuse and the reason for the determination in the appropriate  
record kept for that purpose.'

24 **SUMMARY**

26 This amendment replaces the bill. The amendment restructures  
28 the section relating to excuses from jury service to make it  
30 easier to read. It also changes current law to provide that  
32 election officials are excused from jury duty during specific  
time periods when they are needed to perform election functions,  
rather than being exempt at all times from service.