

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Third Legislature

OF THE

STATE OF MAINE

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the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Second Legislature
AT THE
SPECIAL SESSION
January 17 - February 9, 1966

§ 2460. Relocation, removal, disposal, compensation and condemnation

If the State Highway Commission determines that topography of the land adjacent to any portion of a highway incorporated in the Interstate or Primary Systems will not permit adequate screening, as required in sections 2451 to 2460, or that adequate screening would not be economically feasible, it may acquire by gift, purchase or condemnation such interests in property as may be necessary to secure the relocation, removal or disposal of such automobile graveyards or junkyards.

Just compensation shall be paid the owner for the relocation, removal or disposal of the following automobile graveyards and junkyards:

1. In existence. Those lawfully in existence on the effective date of this Act and located in areas adjacent to any portion of a highway incorporated in the Interstate or Primary Systems;
2. On certain highways. Those lawfully along any highway made a part of the Interstate or Primary Systems on or after the effective date of this Act; and,
3. To be established. Those lawfully established on or after the effective date of this Act.

The purchase, condemnation, negotiation, assessment of damage and appeal procedures shall be in accordance with this section and Title 23, sections 153 to 159.'

Sec. 6. Application. Permits granted prior to the effective date of this Act shall continue in effect until December 31, 1966.

Effective May 11, 1966

Chapter 482

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:

Sec. 1. 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.~~'

Sec. 2. R. S., T. 15, § 1258-A, additional. Title 15 of the Revised Statutes is amended by adding a new section 1258-A, to read as follows:

'§ 1258-A. Voir dire

Any rule of court or statute to the contrary notwithstanding, the court shall permit voir dire examination to be conducted by the parties or their attorneys under its direction.'

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

Effective January 31, 1966

Chapter 483

AN ACT Providing for Longevity Pay for State Department Officers Whose Salaries are Fixed by Statute.

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

R. S., T. 5, § 12, additional. Title 5 of the Revised Statutes is amended by adding a new section 12, to read as follows:

'§ 12. Longevity pay for certain department officers

In accordance with the request of chapter 202, section 3, of the private and special laws of 1963, all state executive and legislative officers, whose salaries are fixed by statute, shall receive longevity pay to commence at the same time as, and continue under the same terms and conditions as, the longevity pay for State employees provided by said chapter 202.'

Effective May 11, 1966