

# 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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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED BY THE  
**One Hundred and Third Legislature**  
**1967**

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of the governor, the lieutenant governor shall preside. Seven members of said council shall constitute a quorum thereof for the purpose of conducting the affairs of the tribe and exercising its powers and for all other purposes, notwithstanding the existence of any vacancies. Only certified members of the tribe who are 21 years of age or older shall be eligible to vote. The commissioner shall give notice of the time and place, 7 days before said day of election, by posting notices thereof, one at his office and one in some conspicuous place on Old Town Island. Said commissioner shall receive, sort and count the votes given in at said election, in presence of the members of the tribe, and shall give to those elected certificates thereof. All persons so elected shall hold office for 2 years commencing on the first day of October on the even-numbered years beginning October 1, 1968, or until their successors are elected. Whenever any vacancy occurs the commissioner shall call a meeting of the tribe to fill such vacancy. Vacancies shall be filled through appointment by the tribal governor, with the advice and consent of the tribal council, with preference first given to unsuccessful candidates in the previous election, in descending order of the number of votes cast for such candidates.

On the first Tuesday of August biennially on the even-numbered years, the Penobscot Indians shall hold a caucus for the purpose of nominating candidates to be elected as provided in this section. Such caucus shall have the right to establish, by majority vote, rules for the conduct of the following tribal election, providing that such rules do not violate the constitutional rights of any person.

Effective October 7, 1967

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## Chapter 167

### AN ACT Relating to Biennial Elections of Passamaquoddy Tribe of Indians.

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

R. S., T. 22, § 4831, amended. Section 4831 of Title 22 of the Revised Statutes is amended to read as follows:

#### § 4831. Biennial elections

Biennially on the even-numbered years, on the ~~first~~ Tuesday of ~~November~~ following Labor Day in September, the Passamaquoddy Tribe of Indians shall hold their election for the choice of governor and lieutenant governor of each reservation of said tribe, a representative at the Legislature of this State and a tribal ~~committee~~ council to consist of 6 members of said tribe from each reservation, all of whom must be at least 21 years of age. The representative at the Legislature of this State shall be chosen alternately between the 2 reservations. Only certified members of the tribe who are 21 years of age or older shall be eligible to vote. The governors shall preside over all meetings of the ~~committee~~ council and be a member ex officio. In the absence of the governor, the lieutenant governor shall preside. Four members of such council from each reservation shall constitute a quorum thereof for the purpose of conducting the affairs of the tribe on each reservation and exercising its powers and for all other purposes, notwithstanding the existence of any vacancies. At joint meetings of the tribal councils from both reservations, a total of 7 council members shall constitute a quorum, with at least 3 members being present from one reservation. The com-

missioner shall give notice of the time and place, 7 days before said day of election, by posting notices thereof in some conspicuous place on the reservations at Pleasant Point and Peter Dana Point. Said commissioner shall receive, sort and count the votes given in said election, in the presence of members of the tribe, and those elected shall be given certificates therefor. All persons so elected shall hold office for 2 years commencing on the first day of October on the even-numbered years beginning October 1, 1968, or until their successors are elected. Whenever any vacancy occurs the commissioner shall call a meeting of the tribe to fill such vacancy. Vacancies shall be filled through appointment by the respective tribal governor with the advice and consent of the respective tribal council.

Effective October 7, 1967

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## Chapter 168

### AN ACT Relating to Trial Terms of Superior Court in Penobscot County.

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

**R. S., T. 4, § 110, sub-§ 10, amended.** Subsection 10 of section 110 of Title 4 of the Revised Statutes, as amended by chapter 277 of the public laws of 1965, is further amended to read as follows:

**10. Penobscot:** At Bangor on the first Tuesdays of January, ~~April, June March, May~~, September and November and the criminal business of said county shall be transacted at the terms held on the first Tuesdays of January, ~~April, June March, May~~ and September, together with civil business. All recognizances from the District Court in which parties are held to await the action of the grand jury, made returnable to said ~~June May~~ term, shall, when no grand jury is in attendance, be continued to and have day in the next term of the court held in said county. The grand jury shall attend only at the January, ~~April March~~ and September terms, unless specially summoned by order of a justice of said court.

Effective October 7, 1967

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## Chapter 169

### AN ACT Relating to Suspensions of Motor Vehicle Operator's License Pending Appeal in Operating Under the Influence Cases.

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

**R. S., T. 29, § 1312, amended.** The 2nd paragraph of section 1312 of Title 29 of the Revised Statutes is amended to read as follows:

If any person convicted of any violation of this section shall appeal from the judgement and sentence of the trial court, his license and right to operate a motor vehicle in this State shall be suspended during the time his appeal is pending in the appellate court, unless the trial court shall otherwise order, or unless the Secretary of State, after a hearing, shall restore the license or permit pend-