

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

Chapter 335

AN ACT Relating to Approval of Secondary Schools.

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

Sec. 1. R. S., T. 20, § 1281, sub-§ 10, additional. Section 1281 of Title 20 of the Revised Statutes, as amended by section 3 of chapter 51 of the public laws of 1965, is further amended by adding a new subsection 10, to read as follows:

10. **Size.** Any public school enrolling fewer than 100 pupils may be approved by the State Board of Education on an emergency basis only after the school committee or board of directors have presented in detail reasons for such emergency approval.

Sec. 2. R. S., T. 20, § 1281, amended. Section 1281 of Title 20 of the Revised Statutes, as amended by section 3 of chapter 51 of the public laws of 1965, is further amended by adding at the end, a new paragraph, as follows:

Notwithstanding any other provision of this Title, the Commissioner of Education shall give basic approval under this section for attendance purposes to any nonpublic secondary school which is accredited by the New England Association of Colleges and Secondary Schools.

Sec. 3. R. S., T. 20, § 1751, amended. The first sentence of section 1751 of Title 20 of the Revised Statutes, as repealed and replaced by section 2 of chapter 79 of the public laws of 1967, is amended to read as follows:

Certificates shall be issued by the commissioner, under rules and regulations prescribed by the board, to teachers and other professional personnel for service in any public elementary or secondary school in the State or in any such nonpublic school as accepts public funds for tuition ~~or is approved for attendance purposes under section 911.~~

Sec. 4. Effective date. Section 3 of this Act shall become effective 91 days after the adjournment of the Legislature.

Effective October 7, 1967

Chapter 336

AN ACT Relating to List of Prospective Jurors and Selection of Jurors.

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

R. S., T. 14, §§ 1254 and 1255, repealed and replaced. Sections 1254 and 1255 of Title 14 of the Revised Statutes are repealed and the following enacted in place thereof:

§ 1254. Preparation of list of prospective jurors

The municipal officers of the several municipalities shall prepare annually, from the original registration files of voters of such municipalities, a complete

list, and shall certify and file such list with the jury commissioners of their respective county on or before the first day of June of each year.

The jury commissioners shall, in July of each year, from the list received, publicly select at random, using any given multiple that will give a fair and just distribution according to population, the names of a sufficient number of persons to be kept on a list which shall be considered a jury pool. A copy of said list shall be deposited with the clerk of courts of the several counties and shall, during all business hours, be open to public inspection.

This list shall contain such a number of names of persons as the commissioners shall deem necessary for the number of terms to be served by the jury in their county for the period of July 1st through June 30th.

The jury commissioners shall send to each person selected a jury questionnaire, which questionnaire, when returned by the prospective juror, shall be deposited with the clerks of courts for their respective counties and shall at all times during business hours be open to inspection by the court and attorneys of record of the State of Maine.

The commissioners may, by the same process, add names to such lists to maintain the number provided. They shall drop from the list names of persons who, by reason of infirmity, death or other disability, could not reasonably be expected to serve as jurors if called, and shall drop therefrom the names of persons engaged in the unlawful traffic of intoxicating liquors or who are known to be habitually addicted to the use of intoxicating liquors, or who have been convicted of any scandalous crime or gross immorality. No person should be qualified or selected for traverse jury service who has served as such at any term of the Superior Court in his county held within 5 years next preceding the reselection of said person by the jury commissioners.

§ 1255. Selection of jurors

The jury commissioners of the several counties shall place in a master jury wheel the names of those persons selected in section 1254 and, upon receipt of written or verbal notice from the clerk or deputy clerk of their respective counties, designating the number of jurors required and the date on which they are to report for duty, said commissioners shall publicly draw from the master jury wheel the names of as many persons as may be required for jury service at the prospective term, prepare an alphabetical list of the names drawn, and submit the same to the clerk or deputy clerk of courts of their respective counties. Such selection shall be made with reasonable allowances for supernumeraries and for unforeseen causes of inability to attend. Summonses for those so selected shall be prepared by said commissioners and mailed by registered mail, postage prepaid, to each person selected, at his regular place of abode. A returned registered receipt shall be sufficient evidence that the person or persons so selected have received summons. Additional jurors may be drawn and summoned at any time during a term of court by direction of the presiding justice, and they may be summoned to attend in a manner and at such time as the court may direct. When, by reason of challenge or other cause, a sufficient number of jurors duly drawn and summoned cannot be obtained for the trial of a cause, the court shall cause jurors to be returned from the bystanders or from the county at large to complete the panel. Such jurors shall be returned by the sheriff or his deputy or such other disinterested person as the court appoints. No prospective juror shall be excused for reasons other than extreme hardship, and then only by the court, except as provided in section 1254. In any event, no juror shall serve

for a period of more than 2 weeks except if necessary to conclude a case in which, the juror is sitting.

Grand jurors shall be selected in like manner prior to the first term of the Superior Court to be held for the transaction of criminal business on or after the first day of September annually, and grand jurors shall serve at each criminal term during the subsequent 12 months. When the number of grand jurors is reduced by death or otherwise, additional grand jurors may be selected and summoned under the direction of the court at any time.

Effective October 7, 1967

Chapter 337

AN ACT to Correct Errors and Inconsistencies in the Public Laws Related to Sea and Shore Fisheries.

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

Sec. 1. R. S., T. 12, § 3403, amended. The first paragraph of section 3403 of Title 12 of the Revised Statutes is amended to read as follows:

All general laws of this State fixing or regulating minimum and maximum sizes of fish, shellfish or lobsters, or regulating or prohibiting the sale, transportation or possession of fish, shellfish or lobsters, respectively, apply whether the same are taken from the waters of the State of Maine, or the waters of any other state, country or territory or international waters and brought into the State, except as provided in this section.

Sec. 2. R. S., T. 12, § 3451, sub-§ 1, amended. Subsection 1 of section 3451 of Title 12 of the Revised Statutes is amended to read as follows:

1. **Purposes of department.** The department, as heretofore established, is for the purpose of conserving marine life, for the purpose of scientific research, promotion and development of the Maine coastal fishery industry and for the purpose of implementing, administering and enforcing the laws of this State relating to sea and shore fisheries.

Sec. 3. R. S., T. 12, § 4002, amended. The first paragraph of section 4002 of Title 12 of the Revised Statutes is amended to read as follows:

It is unlawful for any person to fish for or take scallops from the coastal waters of the State ~~from between~~ the 15th day of April ~~until~~ and the 31st day of the following October, inclusive, of each year, except as provided in this section:

Sec. 4. R. S., T. 12, § 4204, sub-§ 1, ¶ A, sub-¶ (1), additional. Paragraph A of subsection 1 of section 4204 of Title 12 of the Revised Statutes is amended by adding a new subparagraph (1), to read as follows:

(1) When the foot rope is attached to a chain or cable the maximum permitted length is determined by measuring the foot rope from the wing tip to the point where it is attached to the chain or cable, by measuring the cable or