

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## One Hundred and Fourth Legislature

OF THE

# STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1969

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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
**One Hundred and Third Legislature**  
AT THE  
SPECIAL SESSIONS

October 2-3, 1967  
January 9-26, 1968  
September 18, 1968

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

Effective January 17, 1968

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## Chapter 508

**AN ACT** Relating to Closing the Polls in Elections in Which Electronic Voting System is Used.

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

**R. S., T. 21, § 1073, sub-§ 5, repealed and replaced.** Subsection 5 of section 1073 of Title 21 of the Revised Statutes, as enacted by chapter 464 of the public laws of 1967, is repealed and the following enacted in place thereof:

5. Closing of the polls. As soon as the polls have been closed and the last qualified voter has voted, all unused ballot cards and records and supplies shall be placed in a container and sealed for return to the clerk. The ballot box shall be opened at the polling place and the write-in votes and absentee ballots counted, and the regular ballot cards separated from the envelopes. The separated ballot cards and envelopes, along with absentee and write-in ballots, shall then be delivered to the counting center for the official counting and recording of all ballots cast.

Effective April 26, 1968

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## Chapter 509

**AN ACT** Relating to Survivor Benefit Payments to Children Under State Retirement Law.

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

**R. S., T. 5, § 1124, sub-§ 1, ¶ B, sub-¶ (1), divs. (b) and (c), amended.** Divisions (b) and (c) of subparagraph (1) of paragraph B of subsection 1 of section 1124 of Title 5 of the Revised Statutes, as amended by section 1 of chapter 29 of the public laws of 1965, are further amended to read as follows:

(b) A spouse, alive and not remarried at the time of the death of the member who has the care of unmarried children of the deceased member under 18 years of age, or **unmarried children of the deceased member under 22 years of age and a full-time student** or any other progeny of the deceased who is considered to be mentally incompetent under the general statutes pertaining thereto, or who is certified to be mentally incompetent by the Medical Board of the Maine State Retirement System, or who is certified

by the Medical Board of the Maine State Retirement System to be physically and permanently incapacitated, shall be paid \$100 a month, commencing the first month after such death occurs and continuing during his lifetime for such time as such children or progeny are in his care and he has not remarried.

(c) The unmarried child or children under 18 years, or **unmarried children of the deceased member under 22 years of age and a full-time student** or any other progeny of the deceased who is adjudged mentally incompetent by a probate court in the State of Maine or who is certified by the Medical Board of the Maine State Retirement System to be physically and permanently incapacitated at the time of the death of the member, shall receive benefits as follows:

One child shall be paid \$100 per month.

Two children shall be paid \$150 per month, which shall be divided equally between them.

Three children or more shall be paid \$200 per month, which shall be divided equally among them.

The benefits shall commence the first month after the death of the member and be payable to each child until he reaches his 18th birthday **or until he reaches his 22nd birthday if a full-time student** or prior death, whichever occurs first. In the event of the marriage or death of any such child prior to his 18th birthday or to his 22nd birthday **if a full-time student**, subsequent benefits to the other children, if any, shall be payable as if he had never lived.

**The board of trustees shall adopt such rules as are found necessary for a beneficiary to qualify as a full-time student.**

Effective April 26, 1968

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## Chapter 510

### **AN ACT Relating to Selection of Jurors and Providing an Executive Secretary to Jury Commissioners.**

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

Whereas, the method now used to select jurors imposes a great financial burden on the several counties and also results in many cases in unnecessary delay of justice; and

Whereas, the following legislation is vitally necessary to prevent undue hardship and injustice to many citizens of Maine; 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