

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 1998 to June 19, 1999**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 18, 1999**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1999**

practice for the public is exempt from the licensee fee requirement. Appropriate rules ~~shall~~ must be adopted by the department defining the appropriate financial procedure. The fees ~~shall be~~ are paid to the Treasurer of State to be maintained as a permanent fund and used by the department for carrying out its plumbing and subsurface ~~waste water~~ wastewater disposal rules and site evaluation program.

See title page for effective date.

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## CHAPTER 87

H.P. 325 - L.D. 441

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

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

**Sec. 1. 14 MRSA §1213**, as repealed and replaced by PL 1981, c. 705, Pt. G, §6, is repealed and the following enacted in its place: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

A. A person claiming to be excused on the grounds of disability may be required to submit a physician's 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.

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

**3. Extent of excuse; record.** Depending upon the circumstances, a juror may be finally excused from

jury service, be required to serve at a later specific time or be required to 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.

See title page for effective date.

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## CHAPTER 88

S.P. 313 - L.D. 947

### An Act to Clarify Certain Liens

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

**Sec. 1. 10 MRSA §3802**, as amended by PL 1991, c. 225, is repealed and the following enacted in its place:

**§3802. Filing in office of Secretary of State; inaccuracy does not invalidate lien**

**1. Filing.** A lien described in section 3801 is dissolved unless the claimant files the following documents in the office of the Secretary of State within 90 days after providing the labor, storage or materials:

A. A financing statement in the form approved by the Secretary of State; and

B. A notarized statement that includes an accurate description of the property manufactured or repaired; the name of the owner, if known; and the amount due the claimant for the labor, materials or storage, with any amount paid on account.

**2. Fees.** The fee for filing a lien under this section is the same as under Title 11, section 9-403, subsection (5).

**3. Inaccuracy.** An inaccuracy in the notarized statement does not invalidate the proceedings unless it appears that the claimant willfully overstated the amount due.

See title page for effective date.

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## CHAPTER 89

H.P. 667 - L.D. 923

### An Act to Extend the Penobscot County Budget Committee