

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

FIRST SPECIAL SESSION
November 13, 2002 to November 14, 2002

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 4, 2002 to June 14, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 13, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 13, 2003

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

Penmor Lithographers
Lewiston, Maine
2003

segregate the spoiled ballot with any other spoiled ballots in an envelope labeled "Spoiled ballots" and shall package and return the envelope of segregated ballots in accordance with section 698. The Secretary of State shall provide the clerk of each municipality with either a label and instructions on proper handling of spoiled ballots or a special envelope printed with this label and instructions.

Sec. 2. 21-A MRSA §696, sub-§3, ¶B, as amended by PL 2001, c. 310, §40, is further amended to read:

B. The warden, ward clerk or deputy warden shall write "Defective ballot" ~~on the ballot~~ and the reason that the ballot is defective ~~on the ballot~~ and shall sign it ~~and keep it segregated from the other ballots.~~ The election official shall then segregate the defective ballot with any other defective ballots in an envelope labeled "Defective ballots" and shall package and return the envelope of segregated ballots in accordance with section 698. The Secretary of State shall provide the clerk of each municipality with either a label and instructions on proper handling of defective ballots or a special envelope printed with this label and instructions.

Sec. 3. 21-A MRSA §696, sub-§5, ¶B, as enacted by PL 2001, c. 310, §42, is amended to read:

B. The warden, ward clerk or deputy warden shall write "Void ballot" ~~on the ballot~~ and the reason that the ballot is void ~~on the ballot~~ and shall ~~keep it segregated from the other ballots sign it.~~ The election official shall then segregate the void ballot with any other void ballots in an envelope labeled "Void ballots" and shall package and return the envelope of segregated ballots in accordance with section 698. The Secretary of State shall provide the clerk of each municipality with either a label and instructions on proper handling of void ballots or a special envelope printed with this label and instructions.

See title page for effective date.

CHAPTER 299

H.P. 854 - L.D. 1155

An Act To Include Alternates as Regular Jurors

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

Sec. 1. 14 MRSA §1204, as amended by PL 1977, c. 102, is repealed and the following enacted in its place:

§1204. Civil juries

1. Number of members. The court shall seat a jury of either 8 or 9 members, and all jurors shall participate in the verdict unless excused for good cause by the court. Unless the parties otherwise stipulate, the verdict must be decided by the unanimous votes of at least 3/4 of the jurors participating in the verdict and no verdict may be taken from a jury reduced to fewer than 7 members.

2. Procedures. At the commencement of each term, the clerk shall prepare an alphabetical list of the names of those appearing for duty as traverse jurors. Before each trial, after the court has ruled on challenges for cause, the clerk shall randomly draw by lot from the names of all eligible jurors a sufficient number to comprise the jury panel plus enough to account for peremptory challenges. Peremptory challenges may then be exercised in accordance with court rules. When the panel is complete, the court shall appoint a foreperson to oversee deliberations and to speak for the jury.

Sec. 2. 14 MRSA §1207 is repealed.

Sec. 3. 15 MRSA §1317, as amended by PL 1973, c. 567, §20, is further amended to read:

§1317. List of witnesses

The Attorney General, district attorney or ~~foreman~~ foreperson of the grand jury shall swear or affirm, in presence of the jury, all witnesses who are to testify before them, and a list thereof, stating the cases in which they testify, ~~shall~~ must be returned into the court by the ~~foreman~~ foreperson before the jury is discharged and filed and entered on record by the clerk. The clerk ~~shall~~ may not make such list public until the criminal cases at such terms have been tried or otherwise disposed of.

See title page for effective date.

CHAPTER 300

H.P. 93 - L.D. 84

An Act To Reimburse the State Poet Laureate and To Provide Access to the State Poet Laureate's Services

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

Sec. 1. 27 MRSA §424 is enacted to read:

§424. State Poet Laureate Reimbursement Fund

1. Fund established. The State Poet Laureate Reimbursement Fund, referred to in this section as