

# 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 FOURTH LEGISLATURE  
1969

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If the member has not so specified a refund of his own contribution to the Members' Contribution Fund, in lieu of accepting the payment provided in paragraph A, the first of certain designated beneficiaries, if living at the death of the member, may elect to substitute the benefits described below, providing the member prior to his death has met certain conditions of eligibility.

**Sec. 12. R. S., T. 5, § 1124, sub-§ 1, ¶ C, additional.** Subsection 1 of section 1124 of Title 5 of the Revised Statutes, as amended, is further amended by adding a new paragraph C to read as follows:

**C.** A member may specify the refund of his own contribution to the Members' Contribution Fund plus allowable interest to a designated beneficiary or to his estate in lieu of any payment to survivors as provided in paragraph B by filing an affidavit expressing such intent with the board of trustees.

**Sec. 13. Application.** In the event any adjustment in retirement allowances applicable under section 1128 becomes effective on January 1, 1970 it shall be applied to the retirement allowance in effect on December 31, 1969.

**Sec. 14. Effective date.** This Act shall become effective on January 1, 1970.

Effective January 1, 1970

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## Chapter 416

### AN ACT Prohibiting the Conducting of Contests and Games by Retail Sellers.

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

**Sec. 1. Findings and intent.** The Legislature finds and declares that the practice current in this State of conducting contests and games of chance, as a promotional device designed to increase the retail sales of the goods in connection with which such contests and games are conducted, misleads the citizens of this State and causes the citizens of this State to pay more for such goods than they would pay if such contests and games did not exist, since the cost to the retailer of purchasing and conducting such contests and games may be passed on to the retail consumer in the form of increased prices for such goods.

The Legislature further finds and declares that unnecessary increases in the operating costs of retail businesses and in the retail prices of goods are detrimental to the welfare of the citizens of this State, and that such welfare is of paramount concern to the Legislature.

The Legislature further finds and declares that the sale of goods at retail is a business so affected with the public interest that this legislation is

reasonably necessary for the accomplishment of its purpose of protection of the public against being misled by the conducting of contests and games of chance.

The Legislature intends by the enactment of this legislation to abolish all contests and games of chance, of whatever name or nature, whether involving the matching of coins or pieces of paper, the spelling out of words, the uncovering of letters, words or devices to the exclusion of other letters, words or devices, the collection of certain numbers or types of articles, or otherwise, conducted by retail sellers of goods in this State, whether purchase of any goods is required to participate in such contest or game, or not.

**Sec. 2. R. S., T. 17, § 2304, additional.** Title 17 of the Revised Statutes is amended by adding a new section 2304, to read as follows:

**§ 2304. Conduct of contests and games by retailers**

No person, firm, corporation or other legal entity engaged in the business of selling motor vehicle fuel shall conduct, by himself or as agent for another, any game or contest which provides participants with the opportunity to receive some gratuity in a manner determined by chance.

Whoever violates this section shall be punished by a fine of \$1,000.

Effective October 1, 1969

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## Chapter 417

### AN ACT to Permit Administrative Units to Operate Classes for Educable or Trainable Children.

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

**Sec. 1. R. S., T. 20, § 3111, amended.** The last sentence of section 3111 of Title 20 of the Revised Statutes is repealed as follows:

~~Special classes in public schools are to include educable children only.~~

**Sec. 2. R. S., T. 20, § 3111, amended.** Section 3111 of Title 20 of the Revised Statutes is amended by adding at the end, a new paragraph, as follows:

Each administrative unit is authorized to operate a program for trainable children, the programs in such classes to be approved by the State Board of Education under such rules and regulations as the board may prescribe.

Effective October 1, 1969