

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Sixth Legislature  
1ST SPECIAL SESSION  
JANUARY 2, 1974 TO MARCH 29, 1974  
AND BY THE  
One Hundred and Seventh Legislature  
REGULAR SESSION  
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,  
SECTION 164, SUBSECTION 6.

---

THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1975

---

---

PUBLIC LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE  
One Hundred and Seventh Legislature

1975

---

---

## CHAPTER 409

### AN ACT to Promote Efficiency in Public Utilities.

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

35 MRSA § 51 is amended by adding at the end the following new sentence:

In determining just and reasonable rates, the commission may consider whether the utility is operating as efficiently as possible and is utilizing sound management practices.

Effective October 1, 1975

---

---

## CHAPTER 410

### AN ACT Amending Certain Laws Relating to Games of Chance.

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

Sec. 1. 17 MRSA § 330, sub-§ 1, as enacted by PL 1973, c. 735, § 3, is amended to read:

1. **Game of chance.** "Game of chance" shall mean a game, scheme, or device in which a player or participant risks something of value for a chance to win something of value and in which an element of chance or luck, rather than skill, is the dominating element which determines the ~~risk~~ outcome of the game or the result of the risk. For the purposes of this chapter, "Beano" or "Bingo" is not to be included in this definition.

Sec. 1-A. 17 MRSA § 332, first ¶, as enacted by PL 1973, c. 735, § 3, is repealed and the following enacted in place thereof:

Notwithstanding other provisions of this Title, the Chief of the State Police may issue a license to an agricultural society eligible for the state stipend under Title 7, section 62, to operate a game of chance on the grounds of and during the annual fair of such agricultural society or to any bona fide nonprofit, charitable, educational, political, civic, recreational, fraternal, patriotic or religious organization, or to a volunteer fire department, any of which must have been founded, chartered or organized in Maine prior to its application for a license, when such game of chance is sponsored, operated and conducted for the exclusive benefit of such organization by duly authorized members thereof who shall be residents of the State of Maine and who shall have been residents of the State of Maine for a continuous period of at least 6 months prior to the operation or conduct of such game.

Sec. 2. 17 MRSA § 334, first sentence, as enacted by PL 1973, c. 735, § 3, is amended to read:

The Chief of the State Police may require such evidence as he may deem necessary to satisfy him that ~~such~~ an applicant organization conforms to the restrictions and other provisions of this ~~Title~~ chapter.

Sec. 3. 17 MRSA § 342, as enacted by PL 1973, c. 735, § 3, is amended to read:

§ 342. Reports

The Chief of the State Police shall require from any licensed printer or distributor, or from any organization authorized to operate a game of chance, whatever reports he deems necessary for the purpose of the administration and enforcement of this chapter ~~from any licensed printer or distributor.~~

Sec. 4. 17 MRSA § 343, as enacted by PL 1973, c. 735, § 3, is repealed and the following enacted in place thereof:

§ 343. Rules and regulations

The Chief of the State Police shall have the power to make and adopt rules and regulations, not inconsistent with law, which he may deem necessary for the administration and enforcement of this chapter and for the licensing, conduct and operation of games of chance. He shall have the power and authority to regulate, supervise and exercise general control over the operation of such games, to investigate as to the direct or indirect ownership or control of any organization conducting a game of chance, and to revoke or suspend any license for just cause after hearing. In establishing such rules and regulations, he shall, in addition to the standards set forth in other provisions of this chapter, be guided by the following standards setting forth conduct, conditions and activity deemed undesirable.

1. Fraud. The practice of any fraud or deception upon a participant in a game of chance.

2. Unsafe premises. The conduct of a game of chance in or at premises which may be unsafe due to fire hazard or other such conditions.

3. Advertising and solicitation. Advertising which is obscene; solicitation on a public way of persons to participate in a game of chance.

4. Organized crime. Infiltration of organized crime into the operation of games of chance, or into the printing or distributing of gambling materials.

5. Disorderly persons. Presence of disorderly persons in a location where a game of chance is being conducted.

6. Leasing of equipment. Use of equipment which is not owned absolutely, or for which rental is made for said use in the operation of a game of chance.

Sec. 5. 17 MRSA § 345, as enacted by PL 1973, c. 735, § 3, is amended to read:

§ 345. Access to premises

Any person, firm, corporation, association or organization making application to the Chief of the State Police to conduct or operate a game of chance or any such person, firm, corporation, association or organization ~~licensed~~

authorized under this chapter to operate or conduct a game of chance, shall permit inspection of any equipment, prizes, records, or items and materials used or to be used in the conduct or operation of a game of chance by the Chief of the State Police or his authorized representative.

Any firm, corporation, association or organization licensed to operate a game of chance shall permit at any and all times the State Fire Marshal or any inspector from his office, or the city or town fire inspectors of the municipality in which the licensed game is being conducted, to enter and inspect the licensed premises.

Effective October 1, 1975

---

---

## CHAPTER 411

**AN ACT to Provide for the Appointment of Deputy District Attorneys.**

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

30 MRSA § 554-A, sub-§ 1, as enacted by PL 1973, c. 567, § 19, is amended by adding at the end a new paragraph to read:

Each district attorney may designate one full-time assistant district attorney to be his deputy who shall, in the absence of the district attorney, act in his stead and have the authority, duties and responsibilities of the district attorney.

Effective October 1, 1975

---

---

## CHAPTER 412

**AN ACT Relating to Marital Rights in Partnership Property under the Uniform Partnership Act.**

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

31 MRSA § 305, sub-§ 5, as enacted by PL 1973, c. 377, § 1, is repealed and the following enacted in place thereof:

5. **Exclusions.** A partner's right in specific partnership property is not subject to a spouse's right and interest by descent or allowances to widows, widowers, heirs or next of kin.

Effective October 1, 1975