

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1984 to June 20, 1985

Chapters 1-384

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 Co., Inc.  
Augusta, Maine  
1986

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

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FIRST REGULAR SESSION

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ONE HUNDRED AND TWELFTH LEGISLATURE

1985

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vised. The Maine Land Use Regulation Commission may adopt such definitions as are necessary to implement the provisions of this paragraph.

Effective September 19, 1985.

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## CHAPTER 71

H.P. 388 - L.D. 537

AN ACT to Shorten the Period which Members of the Maine State Retirement System Must Wait for the Refund of Accumulated Contributions.

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

5 MRSA §1096, first ¶, as amended by PL 1975, c. 622, §39, is further amended to read:

If the service of any member has terminated, except by death or by retirement under this chapter, he shall be paid, upon proper application therefor, the amount of his accumulated contributions, provided no interest shall be included for any period beyond the 5th anniversary of the date of such termination of service if the member has less than 10 years of creditable service. Such payment shall not be made earlier than 60 days after the date of termination of service and an Payment shall be made after termination of service and in not less than 22 days and not more than 37 days after receipt of the application and of the last payroll upon which the name of the member appears. An application for refund shall be void if a member returns to service within such 60-day period prior to issuance of the payment.

Effective September 19, 1985.

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## CHAPTER 72

H.P. 315 - L.D. 404

AN ACT to Require Legislative Confirmation of the Commissioners and the Director of the Maine State Lottery.

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

Whereas, legislative review and confirmation significantly contribute to the appointment of well qualified and able people to positions on substantive boards and commissions; and

Whereas, most other boards with similar authority and responsibilities to that of the State Lottery Commission are subject to legislative review and confirmation; and

Whereas, the State Lottery Commission and the director are responsible for the administration and operation of a state activity that involves, roughly, \$16,000,000; and

Whereas, Maine may become involved in a Tri-state Lotto which may significantly increase the responsibilities of the commission, as well as the amount of money generated by the lotteries; and

Whereas, the State Lottery Commission and its director are not currently subject to legislative review and confirmation and may benefit from legislative evaluation and confirmation; and

Whereas, the expiration of the term of one member of the State Lottery Commission will occur on May 2, 1985, which affords the Legislature the opportunity to implement this policy during the First Regular Session; 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 legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1.** 8 MRSA §351, first ¶, as amended by PL 1983, c. 812, §58, is further amended to read:

The State Lottery Commission, established by Title 5, section 12004, subsection 8, shall consist of 5 members, all of whom shall be citizens and residents of this State and, all of whom shall be appointed by the Governor and all of whom shall be sub-

ject to review by the joint standing committee of the Legislature having jurisdiction over matters relating to legal affairs and to confirmation by the Senate. No more than 3 of the 5 members may be members of the same political party. The members shall be appointed for terms of 5 years, except that of the members first appointed, one shall be appointed for a term of one year, one for a term of 2 years, one for a term of 3 years, one for a term of 4 years, and one for a term of 5 years. The term of each of the members first appointed shall be designated by the Governor. The members shall annually elect one of them as chairman of the commission.

Sec. 2. 8 MRSA §352, first ¶, as amended by PL 1975, c. 771, §106, is further amended to read:

The State Lotteries shall be under the immediate supervision and direction of a director, who shall be a person qualified by training and experience to direct the State Lotteries. The director shall be appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over matters relating to legal affairs and to confirmation by the Senate, and shall serve during the pleasure of the Governor. Any vacancy occurring in the office of the director shall be filled in the same manner as the original appointment.

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

Effective April 10, 1985.

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## CHAPTER 73

H.P. 199 - L.D. 233

AN ACT Designating the Maine Coon Cat as the State Cat.

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

1 MRSA §216 is enacted to read: