

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.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
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1985

The Governor shall also appoint as a member a person who is not affiliated with any municipality or cooperative, as defined in section 4003, subsection 5, to represent the general public.

The Director of the Office of Energy Resources, or another employee of the Office of Energy Resources, as the director may from time to time designate in writing filed with the clerk of the agency, shall serve as a member of the board of directors.

Each director, before entering upon his duties, shall take and subscribe an oath to perform the duties of office faithfully, impartially and justly to the best of his ability. A record of such oaths shall be filed in the office of the Secretary of State.

Of the directors who are first appointed, 2 directors shall be appointed for a term ending July 1, 1982; 2 directors shall be appointed for a term ending July 1, 1983; 2 directors shall be appointed for a term ending July 1, 1984; 2 directors shall be appointed for a term ending July 1, 1985; and the balance, if any, of the directors shall be appointed for a term ending July 1, 1986. Their successors shall serve for terms of 5 years each. Each director shall hold office until his successor is appointed and qualified. A director is eligible for reappointment. Any vacancy in the office of director occurring other than by expiration of term shall be filled by a successor director, who shall serve for the remaining term of office so vacated. Each director may be removed from office by the Governor for cause, after a public hearing, and may be suspended by the Governor pending the completion of the hearing.

Effective September 19, 1985.

CHAPTER 93

H.P. 813 - L.D. 1134

AN ACT to Amend the Laws Relating to Games of Chance.

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

Sec. 1. 17 MRSA §337, as repealed and replaced by PL 1977, c. 350, §8, is amended to read:

§337. Distributor

Every distributor shall be licensed by the Chief of the State Police; No distributor may sell, market or otherwise distribute gambling apparatus or implements unless licensed by the Chief of the State Police, except that no license shall be is required for the sale, marketing or distribution of raffle tickets.

Every nonresident manufacturer or distributor of gambling apparatus or implements doing business in the State of Maine shall have a Maine agent who shall must be licensed as a distributor.

No distributor shall may sell, market or otherwise distribute gambling apparatus or implements to any person or organization, except to persons or organizations licensed to operate or conduct games of chance under section 332, or eligible to conduct a raffle pursuant to section 331, subsection 2. No distributor shall may lease or loan or otherwise distribute free of charge any gambling apparatus or implements to any organization eligible to operate a game of chance.

Every licensee shall acquire all gambling apparatus and implements from a distributor licensed under this section, unless that gambling apparatus or implements are printed, manufactured or constructed by the licensed organization. At no time shall any licensee print, manufacture or construct any gambling implements or apparatus for distribution to any other licensee. The applicant for a distributor's license, or if the applicant is a firm, corporation, association or other organization, its resident manager, superintendent or official representative shall file an application with the Chief of the State Police on forms furnished by him. No license shall be granted if the applicant, or if the applicant is a firm, corporation, association or other organization, its resident manager, superintendent or official representative submitting the application has been convicted within the prior 10 years of a crime punishable by imprisonment for one year or more. The Chief of the State Police shall furnish each applicant with a current copy of this chapter and the rules adopted under section 343. The Chief of the State Police shall furnish each licensee with a copy of any changes or additions to this chapter and the rules adopted under section 343.

Sec. 2. 17 MRSA §338, as amended by PL 1977, c. 350, §§9 and 10, is further amended to read:

§338. Printer

Except as provided in section 337, no Maine printer ~~shall~~ may print materials to be used in the conduct of a licensed game of chance unless licensed by the Chief of the State Police. A printer licensed under this section may act as his own distributor without having to be licensed as a distributor providing neither he nor anyone in his behalf acts as a salesman for his services connected with a game of chance outside of the confines of his premises described in his printer's license. If such printer or someone else acts as a salesman for his services in connection with a game of chance outside of the premises described in his printer's license, either such printer or any person or persons acting in his behalf ~~shall~~ must be licensed as a distributor.

The applicant for a printer's license, or if the applicant is a firm, corporation, association or other organization, its resident manager, superintendent or official representative shall file an application with the Chief of the State Police on forms furnished by him. ~~No license shall be granted if the applicant, or if the applicant is a firm, corporation, association or other organization, its resident manager, superintendent or official representative submitting the application has been convicted within the prior 10 years of a crime punishable by imprisonment for one year or more. The Chief of the State Police shall furnish each applicant with a current copy of this chapter and the rules adopted under section 343. The Chief of the State Police shall furnish each licensee with a copy of any changes or additions to this chapter and the rules adopted under section 343.~~

Sec. 3. 17 MRSA §338-A is enacted to read:

§338-A. Investigations and actions on licenses

1. Investigation. The Chief of the State Police shall investigate or cause to be investigated all complaints made to him and all violations of this chapter or the rules adopted pursuant to section 343.

2. Refusal to issue, modify or renew; modification; suspension; revocation. Grounds for an action to refuse to issue, modify or renew, modify, suspend or revoke the license of a distributor or printer licensed under this chapter are as follows.

A. The distributor or printer or its resident manager, superintendent or official representative made or caused to be made a false statement of material fact in obtaining a license under this chapter or in connection with service rendered within the scope of the license issued.

B. The distributor or printer or its resident manager, superintendent or official representative violated any provision of this chapter or any rule adopted by the Chief of the State Police under section 343.

(1) Except as provided in subparagraph (2), the Chief of the State Police shall give written notice of any violation to the distributor or printer who then has 14 days to comply. Failure to comply within the 14-day period is grounds for an action under this section.

(2) If a distributor or printer violates section 337 or 338 the Chief of the State Police is not required to give the notice or allow the compliance period provided in subparagraph (1).

C. The distributor or printer or its resident manager, superintendent or official representative has been:

(1) Convicted of a crime which is included in this chapter or Title 17-A, chapter 39; or

(2) Convicted within the prior 10 years of any crime for which imprisonment for more than one year may be imposed.

Effective September 19, 1985.

CHAPTER 94

S.P. 411 - L.D. 1138

AN ACT to Provide Credit Unions with the Same Right to make 2nd Mortgage Loans as Exist for Financial Institutions.